

Appendix A

Materials from Public Information and Scoping Meeting

Thursday, February 16, 2006
Kapa‘a Middle School

**Notes of Public Information Meeting
Wailua Short-Term Transportation Improvements
Thursday, February 16, 2006**

The first of two public information meetings for proposed improvements to Kuhio Highway in Wailua was held on Thursday, February 16, 2006, beginning at 7:00 p.m. at the Kapaa Middle School cafetorium. The meeting was attended by 31 members of the community and 11 members of the project planning team.

Steve Kyono, State Department of Transportation, Kauai District Engineer, welcomed all attendees and provided an overview of the transportation proposals.

Glenn Kimura of Kimura International, Inc. gave a slideshow that described the bridge and highway widening projects.

Introductory Remarks by Mayor Baptiste

Mayor Bryan Baptiste thanked State Highways. He then reviewed the timeline to this point beginning with a workshop at the Radisson in July 2005. Mayor Baptiste recounted that he “locked the door and wouldn’t let people leave until they came up with a solution.” He emphasized that “time is of the essence” and that “there is a sense of urgency to get things done.” At the same time, he commended everybody for carrying their load, and expressed his desire to use the skills of all the people in the room.

In addition to the specific projects being addressed at the meeting, Mayor Baptiste noted that a request has been submitted to fund the extension of Pouli Road. For those who are not into lane widening, mass transit options are being studied, such as a park and ride facility on the east side.

Mayor Baptiste concluded by stating how important it is to differentiate what’s real from what’s just an idea. “We need to work with and utilize what we have to do things in a short time.”

Comments, Questions, and Dialogue

Comment: Thank you for moving this along. Would like to see if it can be expedited even more.

Steve Kyono: We’ll do our best to shorten the schedule.

Question: Everything runs on money. What’s real and what’s not?

Mayor Baptiste: \$19 million is in the budget, but it needs to be approved by the Legislature. I’ve met with Kauai’s legislators and others. This is not money from the General Fund, but transportation funds (STIP).

Comment: If the load test fails and we have to go to Alternatives 2 or 3, the bridge alone will take up most of the budget.

Response: If the load test fails, it's still possible to retrofit and reinforce the cane haul bridge. However, Mayor Baptiste acknowledged relying on Alternative 1.

Comment: Sometimes retrofitting can be more expensive than building new.

Steve Kyono: We split up bridge and highway projects because the bridge is the challenging part and we don't want it to hinder highway expansion. HDOT's pier inspection is scheduled for next week.

Question: When do anticipate getting results on the load test?

Response: Within 3 months.

Question: Can we have another meeting to update the status in 6 months?

Response: We're planning to hold another public meeting during the review period for the Environmental Assessment.

Mayor Baptiste: Highway widening design being done now with funding by Coco Palms. I'm challenging consultants to work concurrently. Optimistically, we want the four lane widening completed by the end of 2007.

Question: Won't the choke point shift to the south of the river? Won't the bottleneck shift downstream?

Response: Contraflow will continue. With two travel lanes, traffic generally moves well.

Mayor Baptiste: We're not going to get funding for everything. The county needs to rely on the cumulative effect of small improvements. Between \$30 million for widening of Kaumualii Highway on the west side, and \$19 million for short-term improvements in Wailua, Kauai is getting a lion's share of transportation money.

Comment (also submitted in writing): Traffic is going to be horrendous during construction. Years ago, you could travel down Eggerking to Waipouli. I recommend a short connector (detour) so people in House Lots can avoid using Haleilio Road.

Response: It's a good idea and we're studying it. But your suggestion can't be implemented quickly because land acquisition takes time.

Comment: Problem with people taking a short cut on Papaloa Road and Lanikai.

Comment: Suggest putting bollards up and don't allow left turn from Papaloa.

Response: Looking at restricting turning movements southbound on Papaloa to right turn only. Might be able to do this before the (widening) project gets underway.

Comment: The bypass road works. Why can't there be further use of cane haul roads?

Steve Kyono: The short time it took to complete the temporary bypass road was a special case. Highway widening is more complicated than paving over a cane haul road.

Question: How are you dealing with anticipated Coco Palms traffic? The parking garage and access is off Haleilio Road.

Steve Kyono: The developer was required to prepare a Traffic Impact Report. The TIR was used by the State and County as the basis for imposing infrastructure requirements on the developer. For example, there needs to be a separate right turn lane from Haleilio onto Kuhio Highway. This will be incorporated into the four-lane widening project.

Mayor Baptiste: We're also studying a continuous green at the "T" intersections at Kuamoo and Haleilio Roads.

Steve Kyono: But we also need to address pedestrian concerns.

Comment: 5-6 years ago, our position was to wait until the long-term plan is completed. Since that plan is still being developed and it won't be implemented for many more years, what's happening now (maybe another 2-3 years) is as fast as possible.

Question: Have you looked at a roundabout in front of Safeway and Foodland?

Steve Kyono: We don't have enough land in that area. We're constantly looking at signal adjustment, but getting the right balance is difficult because when we lengthen the signal for through traffic, cars start to back up in the shopping center parking lot.

Question: Is there any way to make the cantilever portion wider for bicyclists and pedestrians?

Response: Acrow's* cantilever module is usually four feet. The five feet we're looking at is already a special design at five feet. (A width of five feet is needed for a 400-foot span, even for walking.) A wider cantilever puts more load on the existing structure.

Comment: Would like the bike/pedestrian lane to be as wide as possible within the economics of the project

Comment: This might be a reason for a new, third bridge.

Comment: If there's a tsunami, the bridges will get wiped out.

Response: The bridge improvements are not intended to withstand a tsunami. This is an emergency fix.

Comment: I'm confused about the column labeled "completion time" and whether it's supposed to mean cumulative time.

Mayor Baptiste: 60,000 guys on Kauai are not going to have the weight to get more dollars when Maui, the Big Island are coming in with projects. Only option that works with the money we have is Alternative 1. Maybe not the best, but it's something. Afterward we can put effort into the long-term plan.

Question: What month is completion of the EA anticipated?

Response: By summer.

Comment: Would like to see utilities put underground.

* Acrow is a manufacturer of prefabricated bridges.

Written Comment (verbatim):

Appropriation to relieve the traffic to the Hyatt and condos in Poipu works great for the few tourists. The residents of this island should get the same sense of urgency or respect. The Kawaihau District is the largest district on the island yet our infrastructure seems to be shortchanged in relation to other parts of the island (in relation to population). Am I wrong?

Written Comment (verbatim):

Years ago we traveled from Eggerking Rd to the Plantation Rd to Waipouli Town. As an interim solution to relieve traffic to and from Wailua House Lots, this could possibly be reestablished. This would reduce traffic on Kuhio Hwy entering and exiting Haleilio Rd. During the next 3-4 years from planning to completion.

Attendance Sheet

Meeting: Public information Meeting on Wailua Corridor Short-term Transportation Improvements

Date/Time: Thursday, February 16, 2006, 7:00 PM

[illegible]

Attendance Sheet

Meeting: Public information Meeting on Wailua Corridor Short-term Transportation Improvements

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[illegible]

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[illegible]

Attendance Sheet

Meeting: Public information Meeting on Wailua Corridor Short-term Transportation Improvements

Date/Time: Thursday, February 16, 2006, 7:00 PM

[illegible]

Appendix B1

Consultation pursuant to
Section 106, National Historic Preservation Act

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BLVD., ROOM 555
KAPOLEI, HAWAII 96707

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND

DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
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HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

March 16, 2006

RECEIVED MAR 18 2006

Glenn T. Kimura, President
Kimura International
1600 Kapiolani Boulevard, Suite 1610
Honolulu, Hawai'i 96814

LOG NO: 2006.0656
DOC NO: 0602NM26
Archaeology

Dear Mr. Kimura:

**SUBJECT: Chapter 6E-8 Historic Preservation Review—
Pre-Assessment Consultation for Wailua Bridge Short-Term Improvements,
Department of Transportation, Highways Division
Wailua River, Lihue District, Island of Kaua'i**

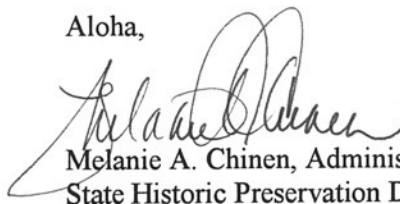
Thank you for submitting your letter on the aforementioned grant which we received on February 8, 2006. The project involves proposed additional lanes across Wailua River. The following three alternatives are proposed: (1) Replace the deck of the cane haul bridge for two northbound lanes and a bike/pedestrian lane, (2) Construct a new bridge between the two existing bridges, and use the cane haul - railroad bridge as a bike/pedestrian bridge, (3) Construct a new bridge between the two existing bridges using a single span design and eliminating the piers in the water.

There are no archaeological concerns for any of the alternative proposals for additional lanes across the Wailua River. The cane haul - railroad bridge was approved in an early project for the bike/pedestrian path, to include mounting or expanding the railroad bridge. The existing bridge has been repaved several times. This project will have "no effect" on significant historic sites.

Alternative 3 would eliminate piers in the water which may be safer for river uses as it would keep the river clear from debris that may come down the river in heavy rains or flooding. This alternative may be more cost effective over the long run as it would eliminate pier repairs.

If you have any questions please call Nancy McMahon, Kauai Section archaeologist at (808) 742-7033.

Aloha,


Melanie A. Chinen, Administrator
State Historic Preservation Division

NM:dlb

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE A473
LIHUE, KAUAI, HAWAII 96766-1326

RECEIVED APR 12 2006

MEMORANDUM

DATE: April 10, 2006

TO: Glenn T. Kimura
Kimura International

FROM: Kauai Historic Preservation Review Commission *PA*

SUBJECT: Letter (2/6/06) from Glenn T. Kimura, Kimura International requesting input for a draft environmental assessment for proposed lane additions across Wailua River. Wailua Bridge Short-Term Improvements, Wailua River, Kauai Hawaii, Pre-Assessment Consultation.

This is to inform you that the Kauai Historic Preservation Review Commission (KHPRC) met on April 6, 2006 to review the above-mentioned project.

Based on the information provided, it is the KHPRC's understanding that this project proposes three alternatives to facilitate two northbound and two southbound lanes across the Wailua River. The improvements are intended to be temporary to implement quick and low cost measures to reduce severe traffic congestion in the Wailua corridor area.

Of the three bridge design alternatives provided, the Commission preliminarily concurred with Alternative 1, the replacement of the deck of the cane haul bridge. In utilizing the historic bridge, the KHPRC further recommended that no further erosion of what exists occur and that the structure be maintained to the highest standard possible.

Please contact Rick Tsuchiya at (808)241-6677 should you have any questions.

Mahalo.

cc: SHPD-Honolulu



February 16, 2007

Ms. Pat Griffin, Chair and Members of the
Kaua'i Historic Preservation Review Commission
c/o Mr. Rick Tsuchiya
Kaua'i Planning Department
4444 Rice Street, Suite 473
Līhu'e, HI 96766

Dear Chairperson Griffin and Members of the KHPRC:

Consultation under Section 106, National Historic Preservation Act
Kūhiō Highway Short-term Improvements, Wailua Cane Haul Bridge
Project No. 56A-02-06

On behalf of our client, the State of Hawai'i, Department of Transportation (HDOT), we are requesting an opportunity to address the Commission during its March 1, 2007 meeting regarding proposed changes to the scope of the Wailua cane haul bridge improvements project. We are seeking consultation with the KHPRC pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulations for Protection of Historic Properties (36 CFR Part 800).

Background

In February 2006, we initiated the Section 106 consultation process by requesting input on three bridge design alternatives to provide an additional lane across Wailua River. A briefing was provided during the Commission's regularly scheduled meeting on March 2, 2006. We subsequently received a memorandum dated April 10, 2006 in which the Commission offered preliminary concurrence with Alternative 1 to replace the deck of the cane haul bridge, with the further recommendation that the structure be maintained to the highest standard possible.

Proposed Changes to the Undertaking

HDOT is continuing the environmental review process to replace the deck of the cane haul bridge and the Draft Environmental Assessment will be released shortly. HDOT is also studying traffic control options to mitigate the severe congestion that is expected

when the cane haul bridge is closed for construction, a period of approximately 10 weeks, barring unforeseen circumstances. One of the traffic control options affects the Wailua River Highway Bridge, constructed in 1949 and, therefore, potentially eligible for the Federal Register of Historic Places. This action was not part of the original undertaking.

Under this option, the mauka Highway Bridge will be modified temporarily to carry three lanes of traffic in order to maintain traffic capacity at the current level. The three lanes will be configured for two lanes northbound and one lane southbound, except during the weekday morning peak period when contraflow operations will provide two southbound lanes (see conceptual drawings, Alternative 5). This proposal involves partial removal of the sidewalk on the makai side of the bridge and installation of a temporary guardrail. The sidewalk on the mauka side will remain as is, and be open for pedestrians and bicyclists (to walk their bicycles across). After the cane haul bridge reopens, the makai sidewalk will be restored to its original dimensions and the guardrail will be removed. In the long-term the Highway Bridge will carry two southbound vehicular lanes.

Other Traffic Control Alternatives

Four other traffic control alternatives were developed that do not involve structural modification of the Wailua Highway Bridge (see Traffic Control Alternatives Map). However, all of these options prohibit left turns from Kūhiō Highway (northbound) onto Kuamo'o Road during certain peak periods. Because of the proximity between Kuamo'o Road and the river crossing, the left-turn queue is expected to back up onto the bridge. Disallowing the left turn at Kuamo'o Road will facilitate traffic flow off the bridge, but a detour route must be provided. The most feasible detour is for vehicles to turn right onto Papaloa Road, left onto Lanikai Street, then another left onto Kūhiō Highway (southbound) to Kuamo'o Road (Alternative 4). A police officer would be stationed at the intersection of Kūhiō Highway and Lanikai Street to assist left-turning vehicles.

Summary

Since the modifications to the highway bridge are recent additions to the project description, we are requesting comments and feedback regarding this proposal. To the extent possible, the bridge will be restored to its former condition. Alterations will be kept to the minimum necessary for safe operation of the bridge. The addition of new material will be unavoidable when restoring the bridge, but there will be very little permanent change in physical appearance.

Kauai Historic Preservation Review Commission
February 16, 2007
Page 3

We look forward to meeting with you for further discussion. In the meantime, if you have questions, please contact me at (808) 944-8848.

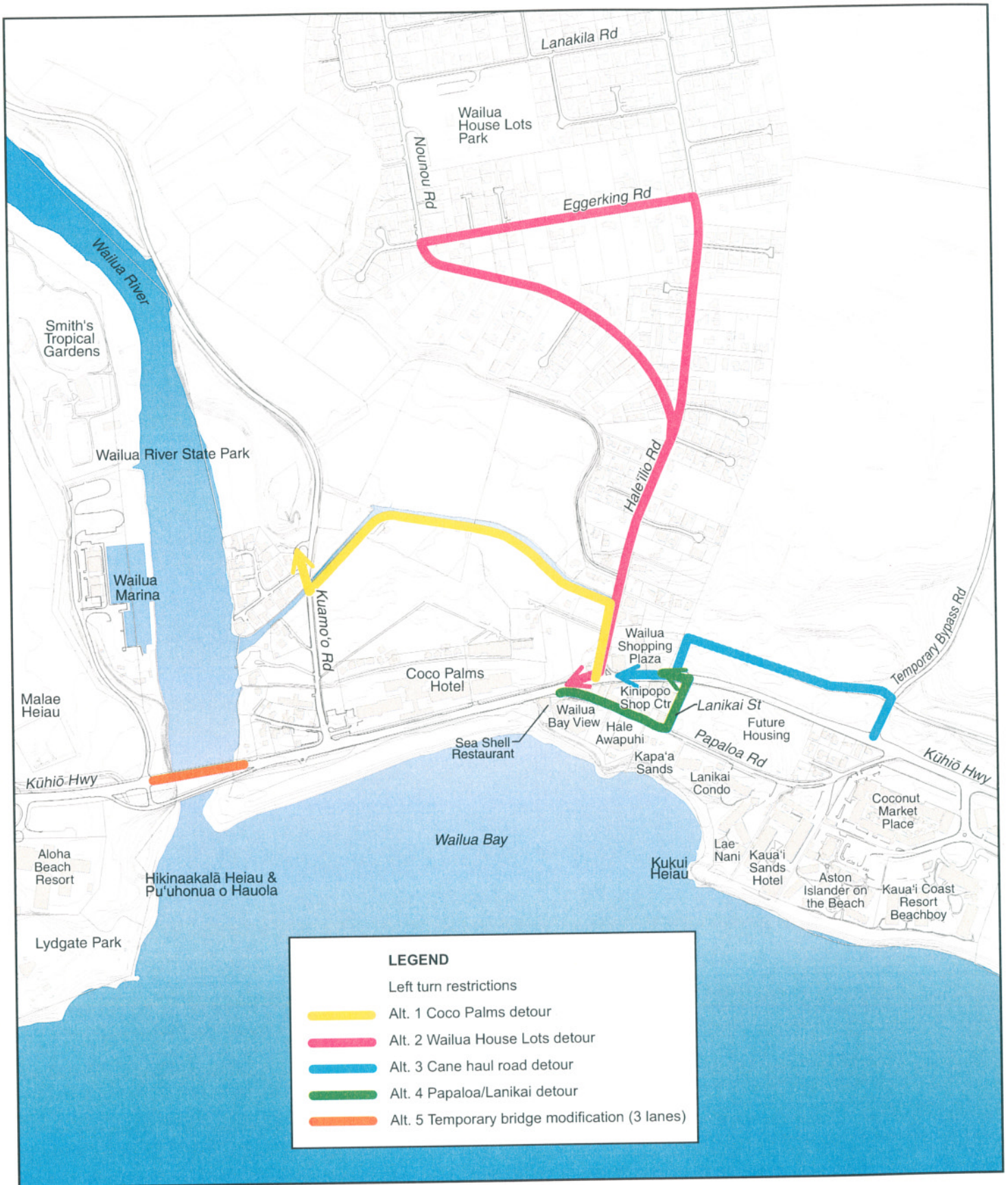
Sincerely,
KIMURA INTERNATIONAL, INC.



for Glenn T. Kimura
President

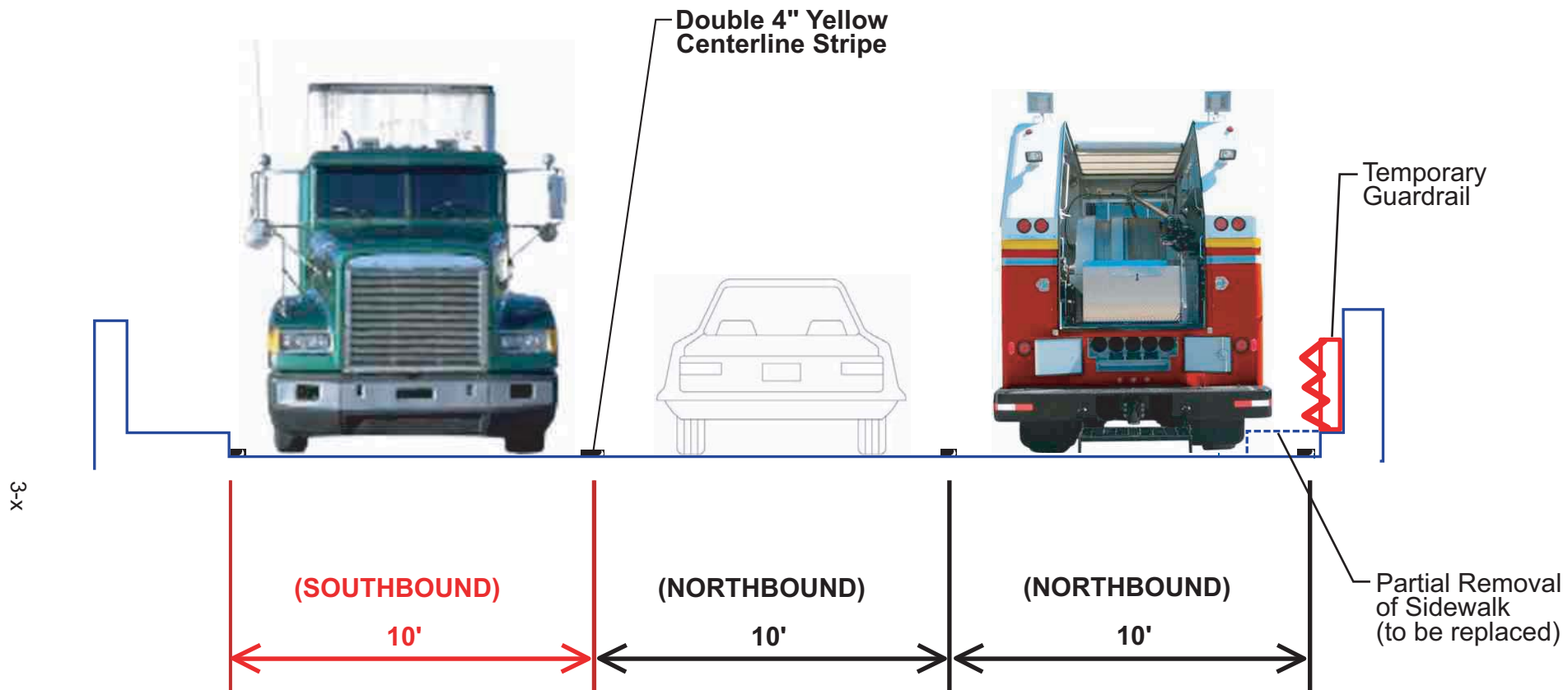
Attachments

Cc: Darell Young, HDOT, HWY-P
Steven Kyono, HDOT-KWY-K
Pat Phung, FHWA
Douglas Haigh, Kauai DPW



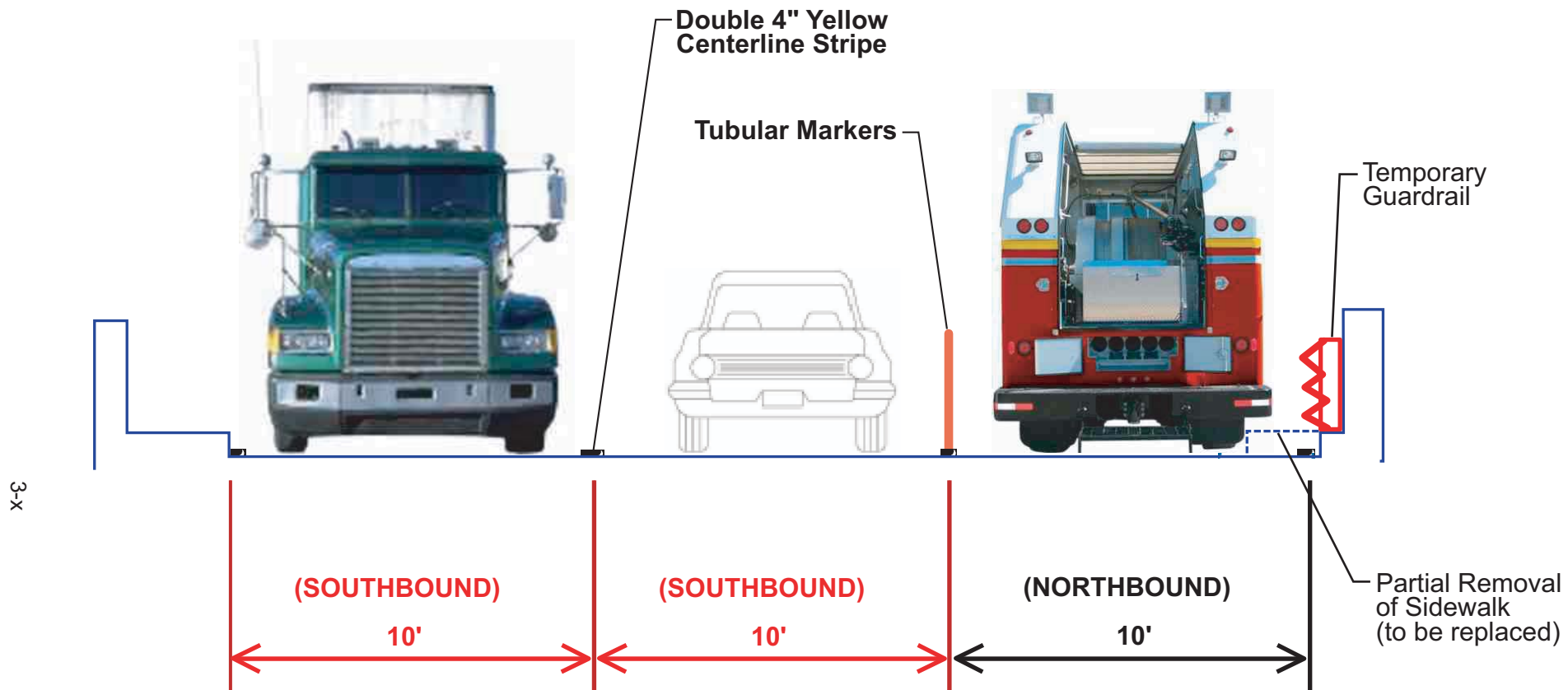
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Figure X
Traffic Control Alternatives
 Wailua River Bridge Improvements



Normal Lane Configuration (Conceptual)

Figure X
Traffic Control Alternative 5
Wailua River Bridge Improvements




A.M. Contraflow Southbound (Conceptual)

Figure **X**
Traffic Control Alternative 5
 Wailua River Bridge Improvements

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE A473
LIHUE, KAUAI, HAWAII 96766-1326

RECEIVED MAR 07 2007

MEMORANDUM

DATE: March 5, 2007
TO: Glenn Kimura, Kimura International
FROM: Kauai Historic Preservation Review Commission 
SUBJECT: Section 106 Review, -Short Term Improvements, Wailua River Highway Bridge, Kauai

This is to inform you that the Kauai Historic Preservation Review Commission (KHPRC) met on March 1, 2007 to review and discuss your proposal for temporary improvements to the Wailua River Highway Bridge.

It is the KHPRC's understanding that the proposal is to temporarily modify the bridge by the partial removal of the sidewalk on the makai side (which appears to be a subsequent addition to the original bridge) and the installation of a temporary guardrail. This would enable the bridge to accommodate three lanes of traffic on an interim basis while the cane haul bridge is closed for up-grade improvements. Upon completion of the improvements to the cane haul bridge, the Wailua River Highway Bridge will be restored to its original condition.

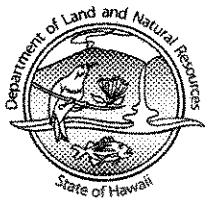
Based on the information provided, the KHPRC concurred with the alternative proposed above in that it would have the minimal impact on a short term basis to the historic Wailua River Highway Bridge.

Please feel free to contact us if you have any questions regarding this matter.

Mahalo.

cc: State Historic Preservation Division
State Highways Division, DOT-Kauai

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
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ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

April 27, 2007

Mr. Darell Young
State Department of Transportation
Highways Division, Planning Branch
869 Punchbowl Street
Honolulu, Hawaii 96813

LOG NO: 2007.0894
DOC NO: 0704ST11
Architecture

Dear Mr. Young:

**SUBJECT: Section 106 (NHPA) Review
Wailua Short-Term Improvements – Wailua River Cane Haul (Plantation) Bridge
and Wailua River (Highway) Bridge
Kuhio Highway Improvement, Milepost 5.62 to Milepost 5.96
Draft Environmental Assessment
State Department of Transportation, Highways Division, Planning Branch
U.S. Department of Transportation, Federal Highway Administration (FHWA)
Project No. 56A-02-06
Lihue, Kauai, Hawaii
TMK: (4) 3-9-002; 3-0-006:012 (Cane Haul Bridge)**

Thank you for the submittal received March 8, 2007. The proposed project is for the improvement of Kuhio Highway between the north end of Leho Drive and the vicinity south of Kuamoo Road located on the Island of Kauai. The main project focus will be reconstruction of the Wailua River Cane Haul Bridge that is also known as the Plantation Bridge.

The Plantation Bridge was built in 1921 and is part of Kuhio Highway (Route 56) that is on the National Highway System. It is one of two bridges on the island that was converted to a vehicular road bridge from a railroad bridge and is also one of two remaining concrete railroad bridges on the island. It is one of the few remaining parts of the rail line, representing a change in the 1920s from individual plantation ship landings to a more centralized transportation system.

The Highway Bridge was built in 1949 and replaced the 1919 Wailua River Concrete Arch Bridge. The remnants of the Concrete Arch Bridge are located between the Highway and Plantation Bridges and consist of the concrete abutments on both sides of the river and the parapet walls of the approach section on the Lihue side of the river. The Highway Bridge is a standard bridge type of the World War II period.

Mr. Darell Young

Page 2

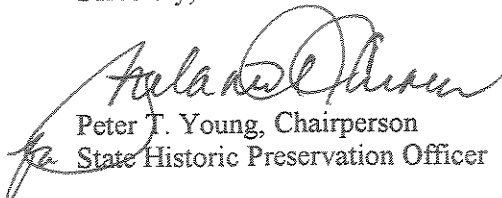
Work on the Plantation Bridge involves removal of the one-laned concrete deck and its replacement with a wider deck for two traffic lanes and a cantilevered bike/pedestrian lane. A prefabricated modular system will be used for the new deck. Struts will be added, extending from the pile cap to the underside of the deck. Modifications will be done to the roadway approaches on both sides of the crossing, retaining walls, drainage inlets, guardrails, signs, striping, and landscaping. Access to the Wailua Marina will be provided by an improved existing roadway located south of two bridges.

During construction on the Plantation Bridge, the preferred traffic control alternative is to make limited structural alterations to the Highway Bridge and partial sidewalk removal on the makai side of the bridge. Three traffic lanes and a temporary guardrail would be created. The existing piers would not be altered, but new piers and abutments would be added landward of the existing abutments. After completion of work on the Cane Haul Bridge, the sidewalk would be restored on the Highway Bridge, the temporary guardrail would be removed, and the two lanes would be striped for travel in the southern direction. The temporary guardrail will be removed and the sidewalk will be restored, therefore the determination for the proposed project on the Highway Bridge as submitted is "no historic properties affected."

In regards to work on the Plantation Bridge, Historic American Engineering Record (HAER) documentation will be completed according to stipulations agreed upon in a Memorandum of Agreement (MOA) between the Federal Highway Administration (FHWA), SHPO, and Advisory Council on Historic Preservation (ACHP). The County of Kauai Department of Public Works has committed to photographic and written documentation of the bridge using HAER standards that will be conducted during the design phase of the project or prior to construction. We request submittal of copies of the documentation to SHPD.

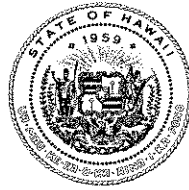
Thank you for the opportunity to comment. Should there be any questions regarding architecture concerns, please call Susan Tasaki at (808) 692-8032.

Sincerely,



Peter T. Young, Chairperson
State Historic Preservation Officer

ST:jen



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

BARRY FUKUNAGA
INTERIM DIRECTOR


Deputy Directors
FRANCIS PAUL KEENO
BRENNON T. MORIOKA
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

HWY-PA
2.4361

May 3, 2007

TO: MELANIE A. CHINEN, ADMINISTRATOR
STATE HISTORIC PRESERVATION DIVISION
DEPARTMENT OF LAND AND NATURAL RESOURCES

FROM: BRENNON T. MORIOKA, PH.D., P.E.
DEPUTY DIRECTOR - HIGHWAYS 

SUBJECT: SECTION 106 CONSULTATION FOR KUHIO HIGHWAY SHORT-TERM
IMPROVEMENTS, WAILUA CANE HAUL BRIDGE, KAUAI, PROJECT
NO. 56A-02-06

We are seeking comments from your office pursuant to Section 106 of the National Historic Preservation Act regarding possible changes to the Wailua Cane Haul Bridge improvement project, a federal undertaking.

Prior Consultation

On March 2, 2007, members of my staff met with acting Architecture Branch Chief, Susan Tasaki to discuss temporary alterations to the Kuhio Highway, Wailua River Bridge ("highway bridge"), which was constructed in 1949. During construction of the Wailua Cane Haul Bridge ("cane haul bridge"), the highway bridge will be used to carry the traffic that normally travels on the cane haul bridge. We are proposing a partial removal of the makai sidewalk on the highways bridge to accommodate a third travel lane. Since the makai travel lane will be closer to the existing bridge railing, which does not meet current safety standards, we will also be installing a crash-tested guardrail on the makai side in front of the existing bridge railing.

At the March 2, 2007 meeting, we noted the temporary nature of these alterations—where the highway bridge would be restored to its original appearance after the cane haul bridge reopens. Ms. Takai provided verbal concurrence with this plan, indicating that the temporary alterations would warrant a no adverse effect determination.

The Kaua'i Historic Preservation Review Commission expressed a similar viewpoint during their March 1, 2007 meeting and voted unanimously in support of temporary modifications to the bridge to facilitate traffic control.

FHWA Policy

The Federal Highway Administration (FHWA) subsequently informed us that because Kūhiō Highway is on the National Highway System and federal-aid money will be used, the highway bridge should be upgraded to current safety and accessibility standards.

According to the Non-regulatory Supplement 23 CFR 625, Federal-aid Policy Guide, dated March 1, 2005:

- Section 6.b.(2): When a decision is made to retain a bridge, the bridge rail should be evaluated to determine if it can adequately contain and redirect vehicles without snagging, penetrating, or vaulting. Consideration should be given to upgrading structurally inadequate or functionally obsolete bridge rail.
- Section 9.d: The design of all facilities such as sidewalks and curb cuts not located on a building site should comply with the Uniform Federal Accessibility Standards (UFAS) unless there is some compelling reason such as very steep terrain which does not permit compliance.

At the same time, the Federal-aid Policy Guide acknowledges that national standards may not be appropriate for each historic or scenic site because of its uniqueness. The Guide emphasizes the need for flexibility in design and construction.

Revised Proposals Under Consideration

In light of FHWA's policy, we are now considering two additional options. In all proposals, the highway bridge will revert to carrying two vehicular travel lanes at the conclusion of the project.

1. Remove the crash-tested guardrail on the makai side of the highway bridge and restore the sidewalk to its pre-construction condition.
2. For safety enhancement, retain the crash-tested guardrail permanently on the makai side of the highway bridge. For accessibility enhancement, widen the sidewalk on the mauka side of the highway bridge from three feet to five feet, in compliance with UFAS and the Americans with Disabilities Act.

Melanie A. Chinen
May 3, 2007
Page 3

HWY-PA
2.4361

3. For safety enhancement, retain the crash-tested guardrail permanently on the makai side of the highway bridge. The makai sidewalk will remain narrowed to approximately one foot wide.

Please notify us if any of our 3 options would result in adverse effects. We would appreciate feedback from you at the earliest possible date.

If you have any questions, or if a meeting is advisable, please contact me or project manager, Darell Young at 587-1835.

Mahalo for your assistance.

bc: HWY-PA

DY/JH:th

LINDA LINGLE
GOVERNOR OF HAWAII



ALLAN A. SMIT
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

PETER T. YOUNG
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AQUATIC RESOURCES
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KAOHOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

June 12, 2007

Dr. Brennon T. Morioka, Ph.D., P.E.
Deputy Director - Highways
State Department of Transportation
Highways Division, Planning Branch
869 Punchbowl Street
Honolulu, Hawaii 96813

LOG NO: 2007.1491
DOC NO: 0706ST03
Architecture

Dear Dr. Morioka:

**SUBJECT: Section 106 (NHPA) Review
REVISED PROPOSALS UNDER CONSIDERATION
Wailua Short-Term Improvements – Wailua River Cane Haul (Plantation) Bridge
and Wailua River (Highway) Bridge
Kuhio Highway Improvement, Milepost 5.62 to Milepost 5.96
Draft Environmental Assessment
State Department of Transportation, Highways Division, Planning Branch
U.S. Department of Transportation, Federal Highway Administration (FHWA)
Project No. 56A-02-06
Lihue, Kauai, Hawaii
TMK: (4) 3-9-002; 3-0-006:012 (Cane Haul Bridge)**

Thank you for the submittal dated May 3, 2007 involving revised proposals for the improvement of Kuhio Highway between the north end of Leho Drive and the vicinity south of Kuamoo Road located on the Island of Kauai. The Highway Bridge will be altered to accommodate three lanes of traffic during reconstruction of the Wailua River Cane Haul Bridge (Plantation Bridge).

While the main project focus remains reconstruction of the Plantation Bridge, there are two new proposals since the Federal Highway Administration (FHWA) informed the State Department of Transportation (SDOT) of Federal-aid Policy Guide requirements. One requirement is to upgrade structurally inadequate or functionally obsolete bridge railings to contain and redirect vehicles without snagging, penetrating, or vaulting. A second requirement is for sidewalks and curb cuts not located on building sites to comply with the Uniform Federal Accessibility Standards (UFAS) unless compelling reasons, such as steep terrains, disallow compliance. Thirdly, the Federal-aid Policy Guide acknowledges the need for flexible design and construction that is more appropriate for the uniqueness of historic or scenic sites.

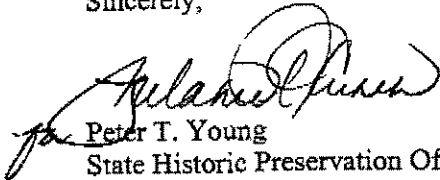
Dr. Brennon T. Morioka, Ph.D., P.E.
Page 2

The original proposal that was already agreed upon between the SDOT, FHWA, SHPD, and the Kauai Historic Preservation Review Committee (KHPRC) involves installation of a temporary guardrail on the makai side of the Wailua River (Highway) Bridge and partial removal of the makai sidewalk. After construction of the Plantation Bridge is completed, the sidewalk would be restored and the temporary guardrail would be removed.

Both new proposals that address the Federal-aid Policy Guide involve retaining the crash-tested guardrail permanently on the makai side. In addition, one option requires widening of the mauka sidewalk from three to five feet to comply with UFAS and the Americans with Disabilities Act Accessibility Guidelines (ADAAG). The second option requires keeping the narrowed makai sidewalk at approximately one foot wide. We believe that these two new proposals would have an adverse effect on historic properties and we look forward to further consultation to mitigate this effect through a resulting Memorandum of Agreement (MOA).

Thank you for the opportunity to comment. Should there be any questions please call Ms. Susan Tasaki of my staff at (808) 692-8015.

Sincerely,



Peter T. Young
State Historic Preservation Officer

ST:jen

c: Mr. Rick Tsuchiya, Kauai County, Planning Department, Kauai Historic Preservation Review Commission, 4444 Rice Street, Suite A473, Lihue, Kauai, HI 96766-1326



KIMURA INTERNATIONAL INC.

June 19, 2007

Mr. Randy Wichman, Chair and Members of the
Kaua'i Historic Preservation Review Commission
c/o Mr. Rick Tsuchiya
Kaua'i Planning Department
4444 Rice Street, Suite 473
Līhu'e, HI 96766

Dear Chairperson Wichman and Members of the KHPRC:

Consultation under Section 106, National Historic Preservation Act
PROPOSED REVISIONS
Kūhiō Highway Short-term Improvements, Wailua Cane Haul Bridge
Project No. BR-056-1(51)

On behalf of our client, the State of Hawai'i, Department of Transportation (HDOT), we are requesting an opportunity to address the Commission during its **July 5, 2007** meeting regarding proposed changes to the scope of the Wailua cane haul bridge improvements project. We are seeking consultation with the KHPRC pursuant to Section 106 of the National Historic Preservation Act and the Advisory Council on Historic Preservation's regulations for Protection of Historic Properties (36 CFR Part 800).

Prior Consultation

On March 1, 2007 we met with the Commission to discuss temporary alterations to the Wailua Highway Bridge (constructed in 1949) while the adjacent cane haul bridge is closed for reconstruction. To provide traffic relief during construction, HDOT proposed partial removal of the makai sidewalk to accommodate a third travel lane on the highway bridge. And because the makai travel lane will be closer to the side of the bridge and the existing guardrail is non-compliant, HDOT also planned to install a crash-tested guardrail on the makai side in front of the existing guardrail.

Following the discussion, the Commissioners voted unanimously in support of temporary modifications to the bridge as a means of facilitating traffic control. Notification of KHPRC's concurrence was documented in your memorandum dated March 5, 2007.

1600 Kapiolani Blvd., Suite 1610
Honolulu, HI 96814
Tel: 808 944-8848 □ Fax: 808 941-8999

Federal Highway Administration Policy

Subsequent to the March 1 meeting, HDOT was informed by the Federal Highway Administration (FHWA) that because Kūhiō Highway is on the National Highway System and federal-aid money will be used, the highway bridge should be upgraded to current safety and accessibility standards.

According to the Non-regulatory Supplement 23 CFR 625, Federal-aid Policy Guide, dated March 1, 2005:

- Section 6.b.(2): When a decision is made to retain a bridge, the bridge rail should be evaluated to determine if it can adequately contain and redirect vehicles without snagging, penetrating, or vaulting. Consideration should be given to upgrading structurally inadequate or functionally obsolete bridge rail.
- Section 9.d: The design of all facilities such as sidewalks and curb cuts not located on a building site should comply with the Uniform Federal Accessibility Standards (UFAS) unless there is some compelling reason such as very steep terrain which does not permit compliance.

At the same time, the Federal-aid Policy Guide acknowledges that national standards may not be appropriate for each historic or scenic site because of its uniqueness. The Guide emphasizes the need for flexibility in design and construction.

Revised Proposals Currently Under Consideration

HDOT is now considering three options, with new elements introduced in #1 and #2 (see below). In all of the proposals, the highway bridge will revert to carrying two vehicular travel lanes at the conclusion of the project.

1. For safety enhancement, retain the crash-tested guardrail permanently on the makai side of the highway bridge. The makai sidewalk will remain narrowed to approximately one foot wide. The mauka sidewalk will not be affected
2. For safety enhancement, retain the crash-tested guardrail permanently on the makai side of the highway bridge. For accessibility enhancement, widen the sidewalk on the mauka side of the highway bridge from three feet to five feet, in compliance with UFAS and the Americans with Disabilities Act.
3. *Original proposal:* Remove the crash-tested guardrail on the makai side of the highway bridge and restore the makai sidewalk to its pre-construction condition. The mauka sidewalk will not be affected.

Section 106 Consultation with the State Historic Preservation Division

HDOT has informed the State Historic Preservation Division about the new proposals. A copy of SHPD's response, dated June 12, 2007, is attached.

Summary

As part of the Section 106 consultation to determine an appropriate course of action, HDOT would appreciate feedback from you at the July 5 meeting.

In the meantime, if you have questions, please contact me at (808) 944-8848.

Sincerely,
KIMURA INTERNATIONAL, INC.

A handwritten signature in black ink, appearing to read 'Glenn T. Kimura', with a long horizontal flourish extending to the right.


Glenn T. Kimura
President

Attachments

Cc: Darell Young, HDOT, HWY-P
Steven Kyono, HDOT, HWY-K
Pat Phung, FHWA
Douglas Haigh, Kauai DPW

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE A473
LIHUE, KAUAI, HAWAII 96766-1326

MEMORANDUM

DATE: July 5, 2007
TO: Glenn Kimura, Kimura International
FROM: Kauai Historic Preservation Review Commission 
SUBJECT: Kuhio Highway Short Term Improvements, Wailua River Highway Bridge Project, Kauai

Thank you for meeting with the Kauai Historic Preservation Review Commission (KHPRC) on July 5, 2007 and informing the KHPRC about the Federal requirements which have prompted the consideration of two new bridge improvement proposals.

Based on the information presented, it is the KHPRC's understanding that both new alternatives do not involve the restoration the bridge to its pre-construction condition. Further, permanent improvements to the adjacent cane haul bridge will be part of an overall pedestrian/bike path corridor which will meet safety and ADA requirements and that studies for a future bridge/relief route from Lihue to Kapaa are underway.

As such, the KHPRC concurred with the State Historic Preservation Officer's June 12, 2007 letter which indicated that the two new alternatives would have an adverse impact on the historic Wailua River Highway Bridge. The KHPRC also unanimously voted to reiterate its March 5, 2007 position which recommended the original proposal involving the removal of the crash-tested guardrail on the makai side of the highway bridge and restoration of the makai sidewalk to it pre-construction condition thus posing minimal impact on a short term basis.

Please feel free to call us should you have any questions regarding this matter.

cc: State Historic Preservation Division – Susan Tasaki
County Department of Public Works – Doug Haigh
HDOT, HWY-K – Steve Kyono

Appendix B2

Memorandum of Agreement Section 106, National Historic Preservation Act

For the Lydgate Park-Kapa‘a Bike/Pedestrian Path

MEMORANDUM OF AGREEMENT

Submitted to the

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Pursuant to 36 CFR §800.6(a)

Among the

**U.S. DEPARTMENT OF TRANSPORTATION, FEDERAL HIGHWAY
ADMINISTRATION**

And the

HAWAII STATE HISTORIC PRESERVATION OFFICER

And the

COUNTY OF KAUAI, DEPARTMENT OF PUBLIC WORKS

Regarding the

LYDGATE PARK TO KAPA'A BIKE AND PEDESTRIAN PATH PROJECT

Kaua'i, Hawai'i

WHEREAS, the Federal Highway Administration (FHWA) has determined that the Lydgate Park to Kapa'a Bike and Pedestrian Path Project (Project) will have an effect upon historic properties eligible for inclusion in the National Register of Historic Places, and has consulted with the Hawaii State Historic Preservation Officer (SHPO) pursuant to 36 CFR Part 800, regulations implementing Section 106 of the National Historic Preservation Act (16 U.S.C. 470(f)); and

WHEREAS, this Project, being proposed by the County of Kauai (County), Department of Public Works (DPW), is a Federal "Undertaking"; and

WHEREAS, this Project involves developing a typically 10 to 12-foot-wide multi-use recreational path for bicyclist, pedestrians, and other users along an approximately 2 mile stretch of coastline from Lydgate Park, Wailua to Kapa'a Town on the island of Kaua'i; and

WHEREAS, this Project has an "area of potential effects" consisting of lands that are either owned or under the jurisdiction of the County within project corridors generally located between Lydgate Park at Wailua north up to Kapa'a Town, and situated from the shoreline inland up to Kūhiō Highway or other privately-owned properties as shown on Exhibit A; and

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HAWAII DIVISION

WHEREAS, FHWA and County DPW have consulted with the SHPO and native Hawaiian organizations, which included the Kaua'i/Ni'ihau Islands Burial Council, Office of Hawaiian Affairs, Kaua'i Historic Preservation Review Commission, and Hui Malama I Nā Kupuna 'O Hawaii Nei under this Section 106 process which was incorporated under the environmental review process conducted under the Federal National Environmental Policy Act and State of Hawaii Chapter 343, Hawaii Revised Statutes; and

WHEREAS, FHWA will require the County DPW to carry out the agreed to stipulations identified under this Memorandum of Agreement (MOA) which are based upon the SHPD accepted *Archaeological Assessment of Alternative Routes Proposed for the Lydgate to Kapa'a Bike Pedestrian Pathway Project* final report, dated April 2004; and

NOW, THEREFORE, FHWA and the Hawaii SHPO agree that the Undertaking shall be implemented in accordance with the following stipulations in order to take into account the effect of the Undertaking on historic properties shown on Exhibit A included with this document.

STIPULATIONS

The FHWA shall ensure that the following measures are carried out:

A. Archaeological Monitoring Plan

1. Develop an archaeological monitoring plan for path improvements and amenities with provisions for addressing burial treatment that are to be implemented during construction activities.
2. The monitoring plan will be developed and implemented by a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualifications Standards for Archeology (Federal Register, Vol. 48, No. 190, page 44738-9).
3. The archaeological monitoring plan will include the following major elements:
 - a. Archaeological monitoring provisions and procedures to be implemented during the course of the Undertaking's implementation; and
 - b. Specific levels of archaeological monitoring determined to be appropriate for each path section, and
 - c. A follow-up monitoring report for the Undertaking shall be submitted to State Historic Preservation Division (SHPD). The monitoring report, containing the location and description of any human burial remain discovered during the course of the Undertaking shall remain confidential and the precise location data may be provided in a separate confidential index.
4. The archaeological monitoring plan shall be submitted by the County DPW, through FHWA, to the SHPD for a 30-day review. Unless the SHPD objects within 30 days

after receipt of such Plan, the County DPW shall ensure that its provisions are implemented.

B. Mitigation Documentation for the Seaward Wailua River Bridge and Vicinity

1. Consultation will be conducted by the County DPW with the SHPD, with prior consultation with the Kauai Historic Preservation Review Commission, regarding design plans developed for improvements to the seaward Wailua River Bridge (also known as the Plantation or cane haul bridge).
2. The County DPW will consult with the architectural branch staff of SHPD prior to starting any construction activities if design plans would alter the seaward Wailua River bridge.
3. Historic American Engineering Record (HAER) documentation shall be conducted for the seaward Wailua River bridge if deemed appropriate by the architectural branch staff of SHPD
4. To avoid any possible adverse impacts to the Wailua petroglyph site (known as Ka Pae Ki'i Mahu o Wailua and designated as site 50-0-08-105A) plans will be shared with Hawai'i State Parks and the State Historic Preservation Division archaeology branch to determine the possible need for a program of subsurface testing to further evaluate the prospect of impacting any buried portion of this petroglyph site or other significant cultural properties.

C. Burial Treatment Plan

1. A burial treatment plan will be prepared when appropriate to address the preservation of any burials or other human remains encountered in the course of this project.
2. This burial treatment plan shall be prepared and presented to the Kaua'i/Ni'ihau Islands Burial Council (KNIBC) for review, consultation, and approval in accordance with Title 13, Subtitle 13, Chapter 300 of the Hawaii Administrative Rules.
3. The pertinent provisions of the KNIBC approved burial treatment plan shall be executed prior to the completion of the undertaking

D. Preservation/Interpretive Plan

1. Prepare a Preservation Plan addressing interpretive signage to be provided along the multi-use path that is reviewed and approved by the SHPD if deemed appropriate by the SHPD.
2. Consult with the SHPD, Kauai Historic Preservation Review Commission, and Kauai Health and Heritage Coastal Trails Committee in developing the interpretive signage associated with this Undertaking. Interpretive signage will be developed under the following conditions.
 - a. The timeframe for development of interpretive signage under the Preservation Plan will be limited to one (1) year from execution of this MOA.

- b. The SHPD will have 60 days from receipt of the submitted Preservation Plan to review, revise, and approve this Preservation Plan.
- c. Development and implementation of interpretive signage improvements can proceed concurrently or after construction of improvements under this Undertaking.

E. Amendments to this Memorandum of Agreement

- 1. Any party to this MOA may request that any term or stipulation of the MOA be amended; whereupon the parties to the MOA shall consult with each other in accordance with 36 CFR Part 800 to consider such amendment.
- 2. Should any party to this MOA object to the mitigative plans prepared pursuant to these stipulations within 30 days from receipt, the FHWA shall consult with the objecting party to resolve the objection. If the FHWA determines that the objection cannot be resolved, the FHWA shall forward all documentation relevant to the dispute to the Advisory Council on Historic Preservation (Council). Within 30 days after receipt of all pertinent documentation, the Council will either:
 - a. Provide the FHWA with recommendations, which the FHWA will take into account in reaching a final decision regarding the dispute; or
 - b. Notify the FHWA that it will comment pursuant to 36 CFR 800.6(b), and proceed to comment. Any Council comment provided in response to such a request will be taken into account by the FHWA in accordance with 36 CFR 800.6(c)(2) with reference to the subject of the dispute.
- 3. Any recommendation or comment provided by the Council to address such objections will be understood to pertain to the subject of the dispute. The FHWA's responsibility to carry out all actions under this MOA that are not the subject of the dispute will remain unchanged.

F. Termination of the MOA

- 1. If necessary and appropriate, SHPO may request, at any time, a review of the stipulations. This MOA shall be effective upon being signed and considered in full force and effect until replaced by future agreement, or until the Undertaking is fully implemented.
- 2. Interim archaeological monitoring reports for phases implemented shall be submitted to SHPD no later than 90 days from the completion of any discrete phase of the Project. Once the Undertaking has been completed, and the monitoring plan submitted and approved, this MOA shall terminate by its own course without the necessity of further action by any of the other signatories to this MOA.

G. Timeframe for Undertaking Initiation

Should the undertaking not take place within 5 years of the executed MOA, the parties shall consult in accordance with 36 CFR Section 800 to determine whether amendment should be considered.

H. Counterpart Signatures

This MOA may be executed in counterparts. Each signature page shall be incorporated into the MOA and considered a part of this MOA.

Execution of this Memorandum of Agreement by FHWA and the Hawaii SHPO, its subsequent acceptance by the Council, and the implementation of its terms, evidence that the FHWA has afforded the Council an opportunity to comment on the Lydgate Park, Wailua to Kapa'a Bike and Pedestrian Path Project and its effects on historic properties, and that FHWA has taken into account the effects of the Undertaking, on historic properties.

FEDERAL HIGHWAY ADMINISTRATION

By: Abraham Wong
Abraham Wong, Division Administrator

DATE: 4/28/06

HAWAII STATE HISTORIC PRESERVATION OFFICER

By: Peter T. Young
Peter T. Young, State Historic Preservation Officer

DATE: 6-9-2006

Concurred By:

COUNTY OF KAUAI, DEPARTMENT OF PUBLIC WORKS

By: Donald Fujimoto
Donald Fujimoto, County Engineer

DATE: 6-21-06

Concurred By:

STATE OF HAWAII, OFFICE OF HAWAIIAN AFFAIRS

By: _____
Trustee Haunani Apoliona, Chairperson of the Board of Trustees

DATE: _____

PHONE (808) 594-1888



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

FAX (808) 594-1865

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HAWAII DIVISION

HRD06/2591

July 31, 2006

Pat V. Phung
U.S. Department of Transportation
Federal Highway Administration, Highways Division
300 Ala Moana Blvd., Room 3-306
Honolulu, HI 96850

**RE: Kapa'a Bike and Pedestrian Path [Federal-Aid Project No. STP-0700-(49)]
Memorandum of Agreement (MOA), Kapa'a, Kaua'i.**

Dear Pat V. Phung,

The Office of Hawaiian Affairs (OHA) is in receipt of your July 14, 2006 submission and offers the following comments:

As is suggested in the above-listed submission, our staff feels that it is not in OHA's interest to be a concurring party to the Kapa'a Bike and Pedestrian Path Memorandum of Agreement (MOA) at this time. Thank you for the opportunity and for your continued correspondence.

Thank you for the opportunity to comment. If you have further questions or concerns, please contact Jesse Yorck, Native Rights Policy Advocate, at (808) 594-0239 or jessey@oha.org.

Aloha,

A handwritten signature in black ink, appearing to read "Clyde W. Nāmu'o".

Clyde W. Nāmu'o
Administrator

OHA Community Affairs Coordinator (Kaua'i)
3-3100 Kuhio Hwy., Suite C4
Lihue, HI 96766-1153



PP —

Preserving America's Heritage

December 1, 2004

Pat V. Phung
Federal Highway Administration
Box 50206
300 Ala Moana Boulevard, Room 3-308
Honolulu, HI 96850

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HAWAII DIVISION

REF: *Bike and Pedestrian Path, Lydgate Park to Kapa'a, STP-0700(049).*

We received your notification and supporting documentation regarding the adverse effects of the referenced project on a property or properties eligible for inclusion in the National Register of Historic Places. Based upon the information you provided, we do not believe that our participation in consultation to resolve adverse effects is needed. However, should circumstances change, please notify us so we can re-evaluate if our participation is required. Pursuant to 36 CFR 800.6(b)(iv), you will need to file the Agreement, and related documentation at the conclusion of the consultation process. The filing of this Agreement with the ACHP is necessary to complete the requirements of Section 106 of the National Historic Preservation Act.

Thank you for providing us with your notification of adverse effect. If you have any questions, please contact Carol Legard at 969-5110 or via eMail at clegard@achp.gov.

Sincerely,

Nancy Kochan
Office Administrator/Technician
Western Office of Federal
Agency Programs

ADVISORY COUNCIL ON HISTORIC PRESERVATION

12136 West Bayaud Avenue, Suite 330 • Lakewood, Colorado 80228

Appendix C

Programmatic Section 4(f) Determination Use of Historic Bridge

Wailua Cane Haul Bridge

**HAWAII DIVISION
FEDERAL HIGHWAY ADMINISTRATION
PROGRAMMATIC SECTION 4(f) DETERMINATION AND APPROVAL
UNDER THE
NATIONWIDE PROGRAMMATIC SECTION 4(f) EVALUATION
AND APPROVAL FOR FHWA PROJECTS THAT NECESSITATE
THE USE OF HISTORIC BRIDGES
(JULY 5, 1983)**

PROJECT NUMBER: CMAQ-0700(49)

BRIDGE NAME: Wailua Plantation Bridge

BRIDGE ID: 007000560400573

ROUTE: 56

MILEPOST: 5.7 to 5.8

COUNTY: Kauai

Instructions: consult the Nationwide Section 4(f) Evaluation as it relates to the following items. Complete all items. Any response in a shaded box requires additional information prior to approval. This Section 4(f) determination will be attached to the applicable EA, FONSI, or Categorical Exclusion.

Eligibility Criteria	Yes	No
1. Will the bridge be replaced or rehabilitated with Federal funds?	X	
2. Will the project require the "use" ¹ of a historic structure which is on, or eligible for listing on, the National Register of Historic Places?	X	
3. Has the bridge been determined to be a National Historic Landmark?		X
4. Is the environmental documentation an Environmental Impact Statement?		X

Alternatives Considered	Yes	No
5. Have all of the following alternatives, to avoid any use of the historic bridge been evaluated? ²	X	
A. Has the "Do Nothing" alternative been studied and been determined, for reasons of maintenance and safety, not to be feasible and prudent?	X	
B. Has the "Build on New Location Without Using the Old Bridge Alternate" been studied and been determined, for reasons of terrain, and/or adverse social, economic or environmental effects, and/or engineering and economy, and/or preservation of the old bridge, not to be feasible and prudent?	X	
C. Has rehabilitation of the existing bridge without affecting the historic integrity of the bridge been studied and has it been determined, for reasons of structural deficiency and/or geometrics, that rehabilitation is not feasible and prudent?	X	

Measures to Minimize Harm When an item does not apply indicate with N/A	Yes	No
6. Has the project included all possible planning to minimize harm, including the following:		
A. For bridges that are adversely affected ; have the FHWA, SHPO, and ACHP reached agreement [Memorandum of Agreement (MOA)] through the Section 106 process, and this MOA includes Stipulations which amount to Measures to Minimize Harm, and those measures will be incorporated in the project?	X	
B. For bridges that are to be rehabilitated to the point that the historic integrity is affected or that are to be moved or demolished have fully adequate records ben made of the bridge in accordance with the Historic American Engineering Record (HAER) or other suitable means developed through the Section 106 consultation?		X
C. For bridges that are to be replaced ; has the existing bridge been made available for an alternate use, provided a responsible party agrees to maintain and preserve the bridge? ³ (If the project is a rehabilitation project, write N/A for this question.)	N/A	
D. For bridges that are to be rehabilitated and there is an “ Adverse Effect ” ⁴ on the historic integrity of the bridge, is the historic integrity preserved to the greatest extent possible, and consistent with unavoidable transportation needs, safety, and load requirements? (If the project is a replacement project, write N/A. for this question.)	X	

Notes	
¹ Definition of Use: The action will impair the historic integrity of the bridge either by rehabilitation or demolition. Where the definition of impair is to diminish the qualities that made it eligible for the National Register of Historic Places. (Federal Register, Vol 48. No. 163, dated Monday, August 22, 1983)	² Consult the Nationwide Programmatic Section 4(f) Evaluation for the generic (not prudent and feasible) reasons that might be addressed. (Federal Register, Vo 48. No. 163, dated Monday, August 22, 1983) The evaluation of alternatives for the subject project, however, must quantify those reasons as applicable and be supported by the circumstances of the project. ³ This criterion will require the advertisement and marketing of the bridge in accordance with FHWA requirements. Marketing will be addressed in programmatic Section 4(f) Evaluation and by appropriate provisions in the Memorandum of Agreement entered into between the State or local agency, FHWA, the SHPO, and the ACHP. Refer to Mr. Leathers’ July 22, 1987, memorandum on the applicable requirements for preservation and marketing. Copies of the advertisement and results of marketing efforts must be furnished to FHWA prior to replacement of the historic bridge. ⁴ When it has been determined by FHWA in consultation with the SHPO and ACHP that the rehabilitation work will result in “No Effect” or “No Adverse Effect on the historic integrity of the structure, the provisions of Section 4(f) Evaluation do <u>not</u> apply.

Wailua Plantation Bridge

Bridge ID Number: 007000560400573

Owner: State of Hawai‘i

Description of Resource

The Wailua Plantation Bridge, also known as the “cane haul bridge,” is located makai of Kūhiō Highway near the mouth of the Wailua River. The bridge was constructed in 1921 for the Ahukini Terminal and Railroad Company to haul sugar and pineapples from the various mills and canneries on the island’s east side to the shipping terminal at Ahukini Landing. The railroad bridge was built makai of the 1919 bridge. After World War II, the railway right-of-way, including the bridge, was converted to a roadway for cane haul trucks. Sometime in the 1990s, the bridge was acquired by the State Department of Transportation for use as a third lane across the Wailua River. In 2003, the bridge was repaired and resurfaced with a new concrete deck and retrofitted with guardrails, but the basic structure of the 1921 bridge was not changed.

The Wailua River Plantation Bridge meets the National Register Criteria A and C. It is associated with the history of transportation and economic development in this part of Kaua‘i, and was an integral part of the sugar and pineapple economy. It is also a distinctive type of construction, being only one of two bridges on the island converted from a railroad bridge to a road bridge (the other one is the timber Omao Bridge, near Koloa Town).

The bridge retains integrity of location, with somewhat less integrity of materials and workmanship and design. The bridge retains enough original physical features to convey the feeling and association of its historic character and use as a railroad bridge.



Wailua Plantation Bridge



Addition of a bike/pedestrian lane is proposed on the makai side of the bridge (right side of the photo).



Northbound Wailua River crossing: one lane on main Wailua Bridge, one lane on Wailua Plantation Bridge.

ALTERNATIVES CONSIDERED

No Action

The no action alternative was eliminated for reasons of safety. The existing cane haul bridge has a deck measuring 12 feet wide and cannot safely accommodate pedestrians and bicyclists in addition to vehicular traffic.

Build on New Location without Using the Old Bridge

There are two options besides using the historic bridge. One is to use the Wailua Bridge. This bridge has raised, 3-foot wide sidewalks on both sides that are inadequate for bicycling. Additionally, path users would have to cross one or more lanes of through traffic to reach the bridge and there is no safe crossing location.

The second option is to construct a new and separate bridge for the bike/pedestrian path. This option is discussed in the Environmental Assessment and remains a secondary design option. An independent bridge would be located on the makai side of the cane haul bridge for continuity of the pathway. The historic bridge itself would not be impacted directly; however, a new bridge would have similar impacts to an attached structure in terms of obscuring views of the historic bridge from the most common vantage points, such as Wailua Beach Park and Hikinaakalā Heiau.

Rehabilitation without Affecting Historic Integrity

Because the existing bridge is too narrow to fit a bike/pedestrian lane, it must be altered to expand the surface area of the deck. The proposed project calls for attachment of a cantilevered section that is compatible with the style and materials of the historic bridge.

DETERMINATION AND APPROVAL

Based on the environmental documentation and analysis, the results of public and agency consultation and coordination, the FHWA has determined that:

The project meets the applicability criteria as set forth in the Nationwide Programmatic Section 4(f) Evaluation and Approval for FHWA Projects that Necessitate the Use of Historic Bridges dated July 5, 1983;

All of the alternatives set forth in the Findings section of the above Nationwide Section 4(f) Evaluation have been fully evaluated. Based on the Findings, it is determined there is no feasible and prudent alternatives to the use of the Historic Bridge; and

The project complies with the Measures to Minimize Harm Section of the Nationwide Section 4(f) Evaluation; and agreement between FHWA, SHPO and ACHP has been reached.

Accordingly, the FHWA approves the proposed use of the historic bridge for construction under the above Nationwide Section 4(f) Evaluation issued on July 5, 1983.

Date Approved

Federal Highway Administration

**HAWAII DIVISION
FEDERAL HIGHWAY ADMINISTRATION
PROGRAMMATIC SECTION 4(f) DETERMINATION AND APPROVAL
UNDER THE
NATIONWIDE PROGRAMMATIC SECTION 4(f) EVALUATION
AND APPROVAL FOR FHWA PROJECTS THAT NECESSITATE
THE USE OF HISTORIC BRIDGES
(JULY 5, 1983)**

SECTION 4(f) USE OF WAILUA PLANTATION BRIDGE

Additional Information for “No” Response in Item 6B

In accordance with the Memorandum of Agreement regarding modifications to the Wailua Plantation Bridge to provide a separate crossing for bicyclists and pedestrians, the County of Kauai Department of Public Works has committed to photographic and written documentation of the bridge using the Historic American Building Survey (HABS)/Historic American Engineering Record (HAER) standards. This work will be conducted during the design phase of the project or prior to construction.

Note from the Advisory Council on Historic Preservation (ACHP)

By letter dated December 1, 2004, the Advisory ACHP informed the FHWA that its participation in resolving adverse effects would not be required.

Appendix D

Programmatic Section 4(f) Determination Independent Bikeway and Walkway

Lydgate Park-Kapa‘a Bike/Pedestrian Path

Programmatic Section 4(f) and 6(f) Evaluation

(Revised November 30, 2006)

1. REGULATORY AUTHORITY

Section 4(f) of the U.S. Department of Transportation (USDOT) Act of 1966 (49 USC §303(c)) declares that “it is the policy of the United States Government that special effort should be made to preserve the natural beauty of the countryside and public parks and recreational lands, wildlife and waterfowl refuges and historic sites.” Section 4(f) applies to historic sites and designated publicly owned parks, recreational areas, and wildlife and waterfowl refuges that are determined by the FHWA to have national, state, or local significance. Under the Act, the Secretary of Transportation cannot approve a project requiring the “use” of a Section 4(f) property unless

- there is no feasible and prudent alternative to the use of such land, and
- such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use. (23 CFR 771.135)

The purpose of this Programmatic Section 4(f) Evaluation is to provide the information required by the Secretary of Transportation to make the decision regarding the use of properties protected by Section 4(f) legislation under the preferred alternative in the Lydgate Park-Kapa'a Bike/Pedestrian Path Environmental Assessment.

Four 4(f) resources are potentially impacted by the proposed shared use path:

- Wailua Plantation (Cane Haul) Bridge
- Wailua Beach Park
- Lihi Park (Waipouli Beach Park)
- Wailua River State Park

A separate Programmatic Statement has been prepared for the Wailua Plantation Bridge.

This document examines public park lands affected in the context of the *Negative Declaration/Section 4(f) Statement for Independent Bikeway or Walkway Construction Projects*.

Because Land and Water Conservation Funds (LWCF) were used to improve Wailua Beach Park, provisions of Section 6(f) are applicable to the proposed project. Please see discussion in Section 6, below.

2. PROPOSING AGENCY AND ACTION

The County of Kaua‘i, Department of Public Works (County DPW) proposes to construct a shared use path for pedestrians, bicyclists, and other users from Lydgate Park to Waika‘ea Canal in Kapa‘a, a distance of approximately two miles. This project, referred to as the “Lydgate Park-Kapa‘a Bike/Pedestrian Path,” is part of a longer, continuous pathway that will ultimately travel along the east side of Kaua‘i from Nāwiliwili in the south to Anahola in the north. The scope of this project includes two other feeder routes:

- (1) A shared use path connecting the Lydgate-Kapa‘a bike-pedestrian path to the Wailua House Lots Park and the Nounou Mountain (Sleeping Giant) trail, and
- (2) A shared use path connecting the Kawaihau Road bike-pedestrian path to the Kapa‘a-Keālia bike-pedestrian path.

The bike/pedestrian path will be 10 to 12 feet wide and allow movement in both directions. It is intended to accommodate a wide variety of users; however, motorized vehicles will not be allowed with the exception of motorized wheelchairs, emergency vehicles, and maintenance vehicles. The path will be constructed from concrete with graded shoulders. In some areas, existing development may preclude a full, 10-foot wide path, thereby requiring consideration of other options, such as improved, widened sidewalks.

Specific design elements will be established in the design phase of the project. For this document, the proposed action is assumed to be a facility built in conformance with guidelines for bicycle facilities published by the American Association of State Highway Transportation Officials (AASHTO) and standards established in the Americans with Disabilities Act (ADA) Accessibility Guidelines or ADAAG.

The Lydgate Park to Kapa‘a bike/pedestrian path project does not include additional comfort stations, pavilions, picnic areas, or parking areas. However, possible design elements related to site conditions, such as major grading, retaining walls, railings, fencing, and/or changes to traffic patterns, are described and discussed in the Environmental Assessment. Other elements that may be included in the proposed action are landscaping, signage, and amenities, such as trash receptacles and benches.

The County of Kaua‘i will construct, own, and operate the facility. The project will be funded, in part, by the U.S. Department of Transportation, Federal Highway Administration.

3. PURPOSE AND NEED

The bike/pedestrian path project addresses several needs:

Improved safety for pedestrians, bicyclists, and others using non-motorized modes of transportation. At present, pedestrians, joggers, and bicyclists in the project area use shoulders or the sides of roads, or share sidewalks where available. A continuous path that separates these users from passing vehicles is needed for safe and comfortable travel.

Increased choices among alternative modes of transportation. Shared use paths have been popular across the nation because separating motor vehicles from those traveling on foot or by bicycles increases people’s sense of safety and comfort. These characteristics are fundamental to giving people viable choices in how they travel. The proposed path is intended for use by all age groups, and those who possess a range of skill levels.

Greater connections among destination nodes. A pathway is needed to connect the existing path at Lydgate Park and a path that will soon begin design and construction (from Kapa‘a to Keālia). It is the continuity of the path network—what transportation specialists call “system connectivity”—that will increase the usefulness of the transportation facility and allow people to go where they want to go.

Enhanced access to natural areas, while minimizing impacts on sensitive ecosystems. The Wailua-Waipouli-Kapa‘a area is surrounded by natural places of great scenic beauty. A facility is needed to enable residents and visitors to access some of these places under conditions that are better controlled than they are at present.

For those who require wheelchairs or other aids to mobility (as well as parents with children in buggies), a hard, smooth surface will make it easier to travel through the outdoors, especially in places that are sandy, rocky, or covered with grass. To the extent that it is technically feasible, the path will be designed in compliance with guidelines established under the Americans with Disabilities Act.

Increased opportunities for recreation and physical fitness. The proposed path is needed to provide more opportunities for outdoor recreation and fitness. There is no other area in town that provides a safe, dedicated facility for people to walk, jog, and bicycle.

Implementation of bikeway proposals in the *Kaua‘i General Plan* and *Bike Plan Hawaii*. The proposed action is mentioned in the *Kaua‘i General Plan* (2000) and in *Bike Plan Hawaii* (1994, 2003). Both the *General Plan* and *Bike Plan Hawaii* were developed with extensive community outreach and participation efforts. Consistent endorsement of the bike/pedestrian path proposal is an indication of steady community support for over a decade.

4. PREFERRED ALTERNATIVE

The preferred alternative includes a combination of shoreline and canal components (see Figure A1). It was selected as the alignment that would optimize project objectives (provide a safe route for pedestrians and bicyclists that is separated from vehicular traffic to the extent possible, connect origin and destination nodes, enhance access to beach and recreational resources, and provide a scenic, outdoor experience), while avoiding, minimizing, or being able to mitigate adverse environmental impacts.

The project’s start point lies between the Aloha Beach Resort and Kūhiō Highway. The path will be aligned adjacent to the northbound approach to the cane haul bridge. Where possible, the path will be located within the highway right-of-way; however, some sections of the path are expected to pass through Wailua River State Park. Heading north, the path will continue across Wailua River and along the makai side of Kūhiō Highway. North of the Sea Shell Restaurant, the path will follow Papaloa Road, then turn mauka at Lanikai Street. A user-activated traffic signal is planned at the intersection of Kūhiō Highway and Lanikai Street to facilitate path users crossing the highway. On the mauka side of Kūhiō Highway, the path will jog inland, heading northward using the roadbed of a former cane haul road. After crossing the temporary bypass road, the path will continue along the Waipouli Drainage Canal, behind the Waipouli Town Center, then along the south bank of Uhelekawawa Canal back to Kūhiō Highway. The path will shift to the makai side of the highway, then use the right-of-way on Ala Road, Niulani Street, and Moanakai Road before reaching the northern terminus at Waika‘ea Canal.

5. SECTION 4(f) PROPERTIES

Section 4(f) properties are shown in Figures A2 and A3.

5.1 Wailua Beach Park

TMK: 4-1-04: 01; 4-1-05: 04; 4-3-02: 01

Owner: County of Kaua‘i

Description of Resource

Wailua Beach Park encompasses about 6.0 acres of undeveloped beach area situated directly across from the Coco Palms Resort and makai of Kūhiō Highway. This County-owned park is located near the mouth of Wailua River, and is a popular area for both visitors and residents. The near shore bottom fronting most of the beach consists of a shallow sand bar, creating favorable surfing conditions. The beach is also used by swimmers, sunbathers, and fishermen.

Lydgate Park-Kapa‘a Pedestrian/Bike Path

Programmatic Section 4(f) and 6(f) Evaluation

The park was part of the Wailua River State Park complex before being transferred to the County in 1992. There are two unpaved parking areas off Kūhiō Highway, one just north of the Wailua River Bridge, and another adjacent to the vacant Seashell Restaurant. There are limited public facilities provided at this beach park—a few portable toilets, showerheads, and a lifeguard station.



Kūhiō Highway looking north, Wailua Beach Park is to the right.



Wailua Beach Park. Path will be set back as far inland as practicable.

5.2 Lihi Park (Waipouli Beach Park)

TMK: 4-5-2: 01

Owner: County of Kaua‘i

Description of Resource

Kapa‘a Beach is the sandy beach that fronts Kapa‘a town, and extends from Waika‘ea Canal on the south to the intersection of Kawaihau Road and Kūhiō Highway. Anchoring the south end of the beach is Lihi Park (also known as Waipouli Beach Park), a popular picnic and fishing area.

To control shoreline erosion, the state completed a revetment in the area in 1964. Artificial structures along the shoreline include jetties at the mouths of Waika‘ea and Mo‘ikeha Canals. The wide, shallow offshore reef attracts many local fishermen. Adjacent to Lihi Park is the heavily used State-owned boat ramp into Waika‘ea Canal.



Lihi Park



Waika'e Canal bridge at Lihi Park is the northern project terminus.

5.3 Wailua River State Park

TMK: 3-9-06: 29

Owner: State of Hawai'i, Dept of Land and Natural Resources, Division of State Parks

Description of Resource

Wailua River State Park, established in 1954, is the only State-owned park in the project corridor. A survey taken by the Hawai'i Tourism Authority in 2003 estimated that 615,800 people visited the park in 2003. The State Park is located along the banks of the Wailua River and covers a large tract of land extending from the shoreline makai of Kūhiō Highway into the valley. Overall, the park encompasses over 1,000 acres of land, of which about 50 acres are developed for recreational use, including sightseeing of natural and cultural sites, hiking, picnicking, and boat rides along the river.

The Wailua Complex of Heiau National Historic Landmark (NHL) is located within the Wailua River State Park. This heiau complex is comprised of seven historic sites, grouped into five discrete sites. The path passes mauka of Hikinaakalā Heiau and Pu'uhonua o Hauola (designated as State Historic Site No. 50-30-08-105 and one of the five NHL sites), but will not have a direct adverse impact on these important cultural sites. A cluster of boulders with petroglyphs, known as Ka Pae Ki'i Mahu o Wailua (State Historic Site No. 50-30-08-105A) is located offshore in a small inlet at the mouth of the Wailua River, and away from any adverse impact that might be generated by the path.

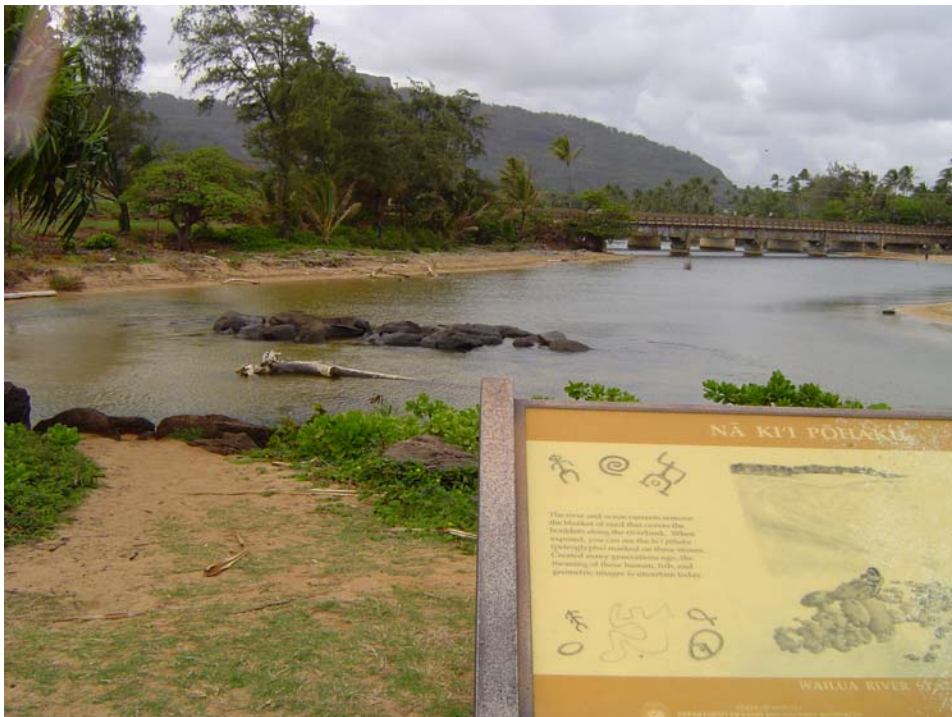


Northern terminus of the Lydgate Park shared use path. New section will extend past the stub out. Existing path on the right-hand side forms a cul-de-sac

Lydgate Park-Kapa'a Pedestrian/Bike Path
Programmatic Section 4(f) and 6(f) Evaluation



Proposed path will be located adjacent to and on the makai side of the highway (toward the cane haul bridge)



Looking toward the cane haul bridge from the interpretive sign for the petroglyph boulders located at the river's mouth

6. SECTION 6(F) PROPERTIES

State and local governments sometimes obtain grants through the federal Land and Water Conservation Fund (LWCF) to acquire or make improvements to parks and recreation areas. Section 6(f) of the LWCF Act prohibits the federal government from converting any property acquired or developed with LWCF funds to anything other than public outdoor recreation use.

Proposed conversion of LWCF lands to non-recreation use requires the approval of the Department of Interior National Park Service and replacement lands “of equal value, location and usefulness” must be provided.

Section 6(f) lands in the project area:

LWCF Project #	LWCF Improvements	TMK	Location	Property Ownership
15-00012	Purchase of coastal lands on both sides of Wailua River in 1967	(4) 4-1-04:1 (4) 4-1-05:4	Wailua Beach Park across from Coco Palms Wailua Beach by House Lots	County (transferred from State Parks in 1992)
15-00001	Development of beach park in 1966-67	(4) 4-5-02, 07, 08, 11 & 12	Lihi Park	County

Because the project will construct a path for use by walkers, joggers, skaters, bicyclists, and others for recreational purposes, the FHWA and County of Kaua‘i requested that the DSP find that project use of park land does not constitute a conversion. The recreational value of the bike/pedestrian path will improve the park and expand the range of outdoor activities supported by the existing facility.

Based on a draft version of the Programmatic Section 4(f) Evaluation, the DSP commented that “there should not a ‘taking’ according to 6(f)” because the path promotes outdoor recreation and remains under the jurisdiction of the County parks (letter dated August 22, 2006). However, DSP also asked for further evaluation on potential impacts to existing recreational activities, park facilities, and public access—which has since been completed and incorporated into this document. The final step in this process is review and concurrence by the LWCF Section of the National Park Service.

7. POTENTIAL IMPACTS FROM THE PROPOSED PROJECT

Potential impacts to park lands are discussed in this section. Measures to mitigate adverse effects are discussed in Section 10.

7.1 Wailua Beach Park

The alignment for the proposed bike/pedestrian path will pass through Wailua Beach Park, extending for approximately 2,200 linear feet (LF). At 10 feet wide, the proposed path will use approximate 22,000 SF of park land. At the north end of the cane haul bridge, the path will ramp down to ground level at grades complying with the ADA Accessibility Guidelines. Two new handicap stalls will be constructed in the south parking area with a paved connection from the handicap stalls to the path. The north parking area will not be affected. To avoid conflicts with vehicles entering from and exiting onto Kūhiō Highway, the path will be aligned along the makai periphery of both parking areas.

There is a low rock wall that extends partially along the park’s frontage, parallel to Kūhiō Highway. This project will extend the wall to provide an additional buffer between the highway and the path; the path will be located on the makai side of the wall.

The bike and pedestrian path will have the positive effect of enabling park users to circulate more easily through the park. Because there is no paved walkway at present, park users have to walk through loose sand and matted vegetation to get from one end to the other. Access is even more difficult for those requiring mobility aids. The path will not be located in any area that would impede swimming, fishing, or other recreational use of the beach park.

7.2 Lihi Park (Waipouli Beach Park)

The project ends at Waika‘ea Canal, which runs through Lihi Park. Lihi Park anchors one end of the linear Kapa‘a Beach Park. From the end of Moanakai Road to Waika‘ea Canal, approximately 800 LF of the path (9,600 SF) will pass through park land. The bridge over Waika‘ea Canal will be reconstructed as part of the Kapa‘a-Keālia Bike-Pedestrian Path.

The path will not impair vehicular access to the park or with parking. The path is located in an open area that is used for passive recreation and will not interfere with typical park activities. The path will have several beneficial effects. It will provide a recreational amenity for fitness walkers, joggers, and bicyclists; a hard, even surface for handicapped persons, and a defined travel way that will allow for more effective lawn maintenance.

7.3 Wailua River State Park

Based on existing maps of the Wailua River cane haul bridge, the Kūhiō Highway corridor extends between 12 and 20 feet beyond the pavement on the makai side of the highway.

The State of Hawaii, Department of Transportation is in the process of preparing and submitting a request to transfer the highway corridor from the Department of Land and Natural Resources, where the corridor is based on an earlier construction easement. The proposed bike/pedestrian path, beginning at the existing stubout and going north, will be located within the new highway right-of-way.

Although the path will not have a direct adverse impact on State park land, its proximity to cultural sites, such as Hikinaakalā Heiau and Pu'uhonua o Hauola, increases the potential for inappropriate off-path activities and increased public traffic through sensitive areas.

8. PROGRAMMATIC SECTION 4(f) APPLICABILITY

Negative Declaration/Section 4(f) Statement for Independent Bikeway or Walkway Construction Projects

The project is applicable for these programmatic evaluations by satisfying the following criteria:

- Involves the use of recreation and park areas established and maintained primarily for active recreation, open space, and similar purposes

Wailua Beach Park and Lihi Park are on the County's inventory of park lands and contain parking areas, user amenities (portable toilets, showerheads, picnic tables, and trash receptacles), and lifeguard station (in the case of Wailua Beach Park).

- Official having specific jurisdiction over the Section 4(f) property has given his approval in writing that the project is acceptable and consistent with the designated use of the property and that all possible planning to minimize harm has been accomplished in the location and design of the bikeway or walkway facility

A letter of approval from the County of Kauai is attached to this programmatic statement.

A letter of approval from the Division of State Parks is being requested.

- Project does not require the use of critical habitat of endangered species. Nor does the project use any land from a publicly owned wildlife or waterfowl refuge or any land from a historic site of national, State, or local significance.

The park lands do not contain critical habitats or significant historic resources.

- Project does not involve any unusual circumstances (major impacts, adverse effects, or controversy).

The pathway will provide a facility that enhances the recreational experience of the parks and make them more accessible to a larger number of people.

9. ALTERNATIVES AND FINDINGS

No Action

The “no action” alternative assumes the status quo. Under this alternative, the project would not proceed. Bicyclists, pedestrians, joggers, and others would continue to use road shoulders, sidewalks, and informal footpaths, as they currently do; however, there would be no improvements to these travel ways.

Improvement without Using the Section 4(f) Lands (Avoidance)

Early in the planning process, and in consultation with the Division of State Parks (DSP), a possible alignment from Lydgate Park to Kūhiō Highway via an old railroad easement was eliminated from consideration due to potential impacts on Hikinaakalā Heiau, which is part of the Wailua Complex of Heiau National Historic Landmark. The preferred alternative does not impact the heiau site; however, DSP has asked that guardrails or vegetative hedges and interpretive signage be installed for added separation and to increase user awareness of nearby cultural resources.

Two sections evaluated in the project’s Draft Environmental Assessment (DEA)—the Papaloa Coastal Access Phase and Coastal Access Extension Phase—were not selected for the preferred alternative. These phases were located in a portion of Wailua Beach Park, but deleted from the project description in favor of the canal route.

Wailua Beach Park. The remaining use of Wailua Beach Park occurs between Wailua River and the Seashell Restaurant. Use of the park cannot be avoided completely because the north end of the Wailua River crossing lies within the park itself. However, the section that traverses the park can be shortened by taking a detour approximately 1,000 feet inland on Kuamo‘o Road, along the mauka boundary of the Coco Palms property, and through private residential lots mauka of Wailua Shopping Plaza. Land acquisition of the residential lots alone was estimated to cost \$1,090,000 and would displace three residences.

Furthermore, a majority of path users are likely to continue walking or bicycling along the beach or along Kūhiō Highway—the shortest and most direct path—even when facilities are not available. As seen in the photographs of Wailua Beach Park, above, bicyclists and pedestrians currently do not have a comfortable travel way. The shoulders along both sides Kūhiō Highway contain minimal space, and there is no pathway through the park itself. Park users have no recourse but to walk through the sand covered by naupaka vines. Access by people in wheelchairs or those needing mobility aids is virtually impossible.

Given the additional cost and social impacts involved in realignment to avoid a relatively small amount of 4(f) property (.25 mile), this alternative is not feasible or prudent.

Lihi Park. The project’s end point is at Lihi Park (Waipouli Beach Park). Because one of a key purpose the project is to connect to the Kapa‘a-Kealiā Bike/Pedestrian Path, the terminus is fixed. In the preferred alternative, the path connects Moanakai Road and the Waika‘ea Canal pedestrian bridge. The only other alternative would run makai-bound along the south bank of Waika‘ea Canal from Kūhiō Highway. This alternative would also be located within Lihi Park, but would also require acquisition of a residential lot just south of the canal and fronting the highway. Without acquiring this property (and displacing the homeowner), there is insufficient space to locate the path. Therefore, the makai-bound alternative is not feasible or prudent.

Wailua River State Park. The shortest and safest route from the project start to the river crossing passes through the State Park. As long as bicyclists and pedestrians stay on the makai side of the river crossing, they do not have to cross a travel lane. In order to avoid State park land, path users would have to cross traffic on the cane haul bridge to use the main highway bridge. Such an alternative would not be feasible or prudent.

10. MEASURES TO MINIMIZE HARM

To minimize harm to park lands, the County DPW will implement the following measures:

- Consult with the County Parks and Recreation Division and Division of State Parks during final design of the path to ensure that the path does not interfere with ongoing recreation, cultural, and/or maintenance activities.
- Design, select construction materials, and use construction methods that will minimize the maintenance requirements of the path.
- Design the path to meet guidelines of the Americans with Disability Act (ADA).
- Provide landscaping, signage and other design features and amenities consistent with safe and proper use of the facility and to reduce off-path, public traffic through sensitive cultural sites. Where the path abuts the Hikinaakalā Heiau Section of Wailua River State Park, landscaping and signage plans will be submitted to the Division of State Parks for approval.
- Plan and conduct construction activities so as to minimize disruption to park use.

11. COORDINATION

Attached is a letter from the owner of the public parks, the County of Kaua'i, Department of Public Works, granting approval to use Wailua Beach Park and Lihi Park for the bike and pedestrian path.

A copy of the Draft Programmatic Section 4(f) Evaluation was sent to the State of Hawai'i, Department of Land and Natural Resources, Division of State Parks (DSP) with a request for written approval to use State Park land, and for concurrence with the finding of non-conversion of LWCF land. The DSP administers the local LWCF program on behalf of the National Park Service, U.S. Department of the Interior.

Comments from the DSP were received by letter dated August 22, 2006. A revised 4(f)/6(f) evaluation was transmitted to the DSP in December 2006.

12. DETERMINATION AND CONCLUSION

The proposed project meets the eligibility criteria established in the *Negative Declaration/Section 4(f) Statement for Independent Bikeway or Walkway Construction Projects*.

Based on the above considerations, the project has included all possible planning to avoid and minimize harm to Section 4(f) lands resulting from project use.

APPROVED BY:

Date Approved

Federal Highway Administration

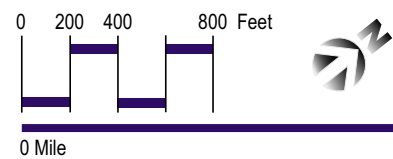
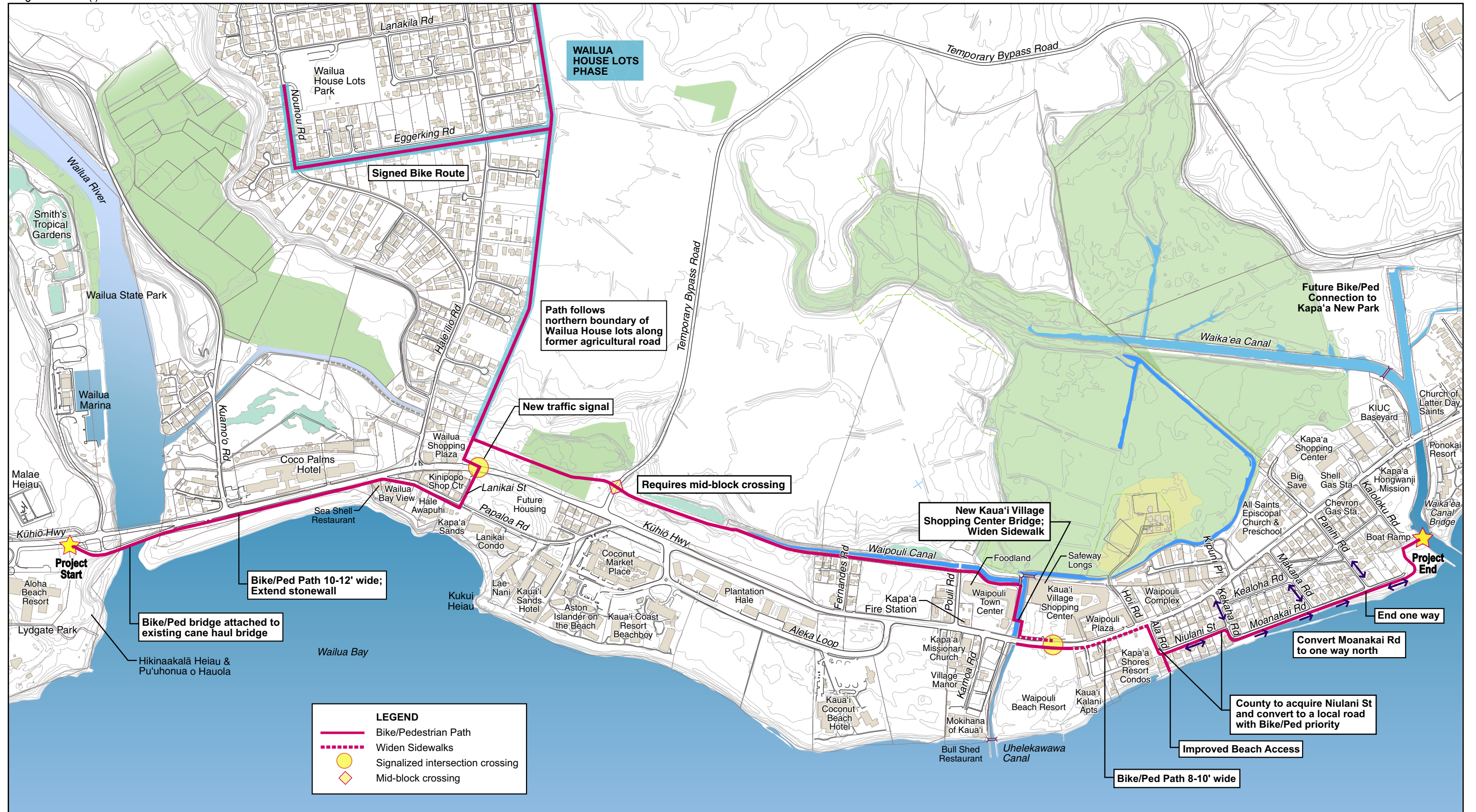


Figure **A1**
Proposed Build Alternative: Lydgate Park - Waika'e Canal

Lydgate Park - Kapa'a Bike/Pedestrian Path

Programmatic 4(f) Statement

November 2006

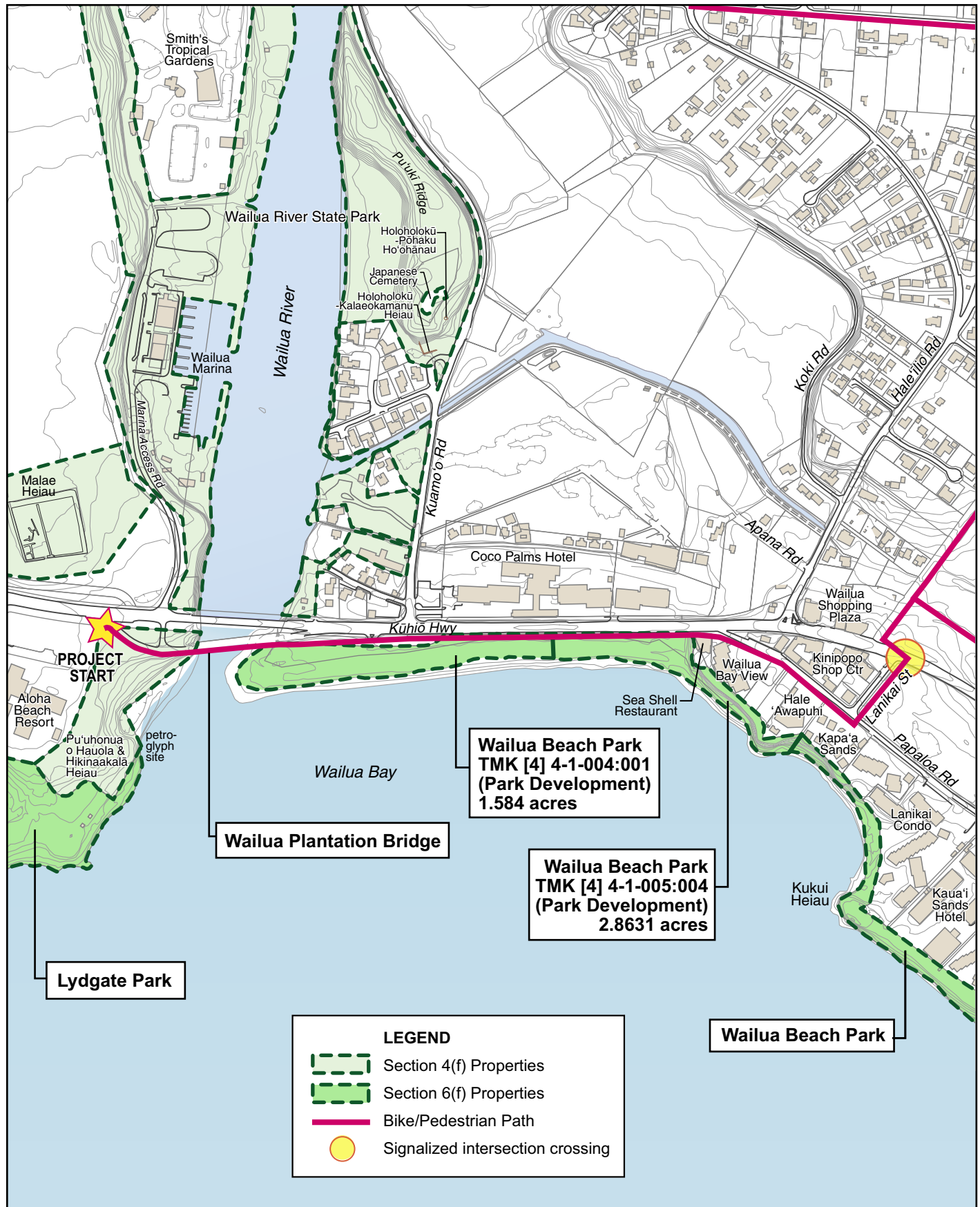


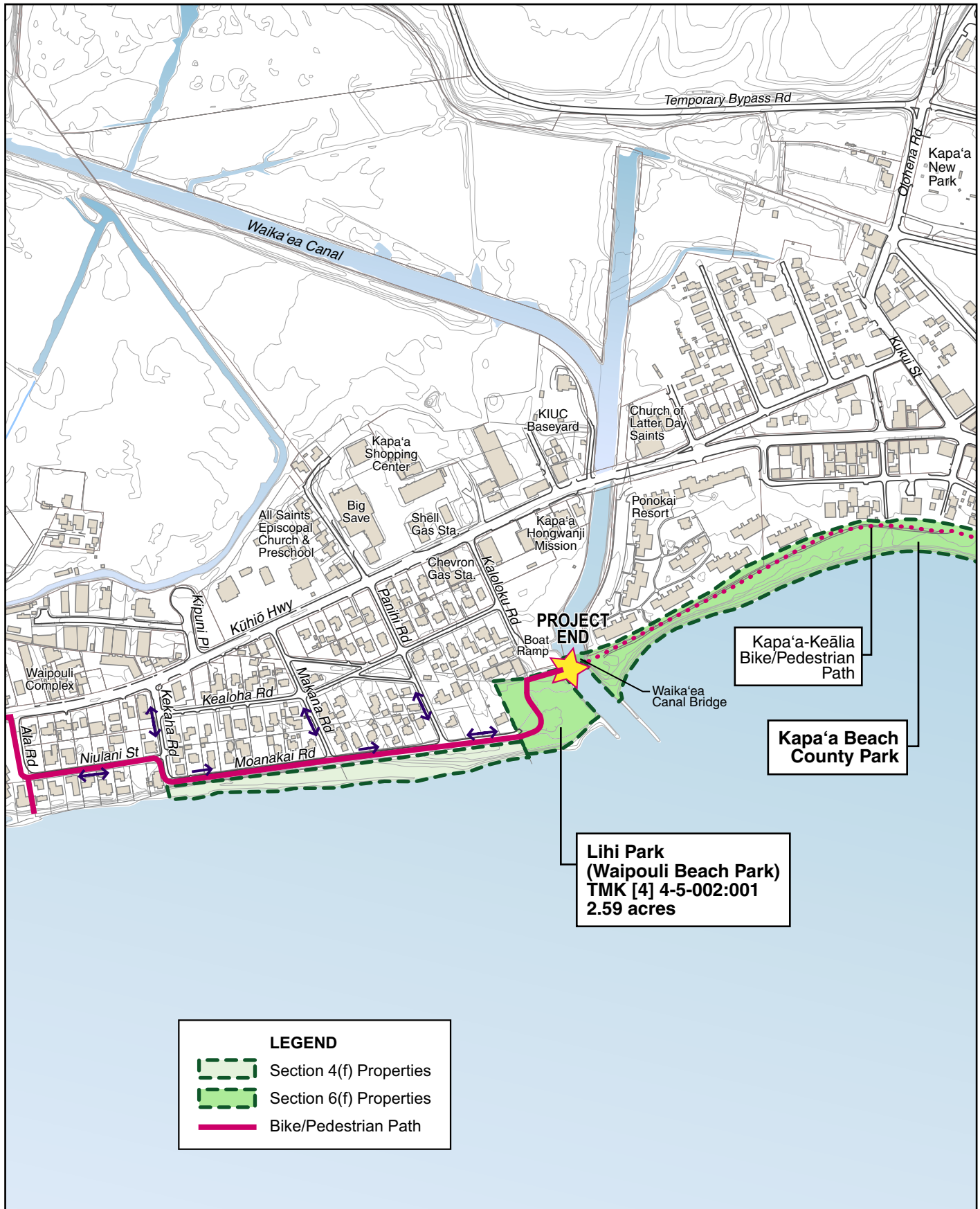
Figure **A2**

Section 4(f)/6(f) Resources - South

Lydgate Park - Kapa'a Bike/Pedestrian Path

Programmatic 4(f) Statement

November 2006



Section 4(f) Properties

Section 6(f) Properties

Bike/Pedestrian Path

Figure **A3**
Section 4(f)/6(f) Resources - North

BRYAN J. BAPTISTE
MAYOR



DONALD M. FUJIMOTO
COUNTY ENGINEER
TELEPHONE 241-6600

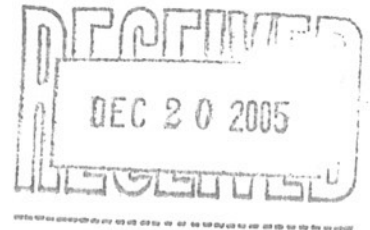
GARY K. HEU
ADMINISTRATIVE ASSISTANT

LADYE H. MARTIN
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AN EQUAL OPPORTUNITY EMPLOYER

COUNTY OF KAUAI
DEPARTMENT OF PUBLIC WORKS
4444 RICE STREET
MO'IKEHA BUILDING, SUITE 275
LIHU'E, KAUAI, HAWAII 96766-1340

December 7, 2005



Mr. Abraham Wong
Division Administrator
Federal Highway Administration
Box 50206
300 Ala Moana Boulevard, Room 3-306
Honolulu, HI 96850

Dear Mr. Wong:

Lydgate Park-Kapaa Bike/Pedestrian Path
CMAQ-0700(49)

The Kauai County Department of Public Works, with jurisdiction over Wailua Beach Park and Lihi Park (also known as Waipouli Beach Park) approves their use for construction of a shared use path. Based on the Programmatic Section 4(f) evaluation for the project, we concur with the finding that there is no feasible and prudent alternative to the use of Section 4(f) lands, and that all possible planning has occurred to minimize harm from their proposed use.

We also recognize that the Environmental Assessment for the project has determined that there will be no significant adverse effect on the quality of the human environment.

We look forward to working with you to implement this project.

Very truly yours,

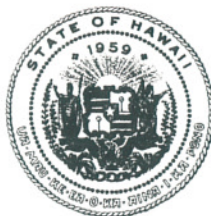
CONCUR:

MEL NISHIHARA
Parks & Recreation Administrator

DONALD M. FUJIMOTO
County Engineer

cc: Christine Yamasaki, State Department of Transportation
Glenn Kimura, Kimura International
Douglas Haigh, Building Division

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

DIVISION OF STATE PARKS
POST OFFICE BOX 621
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PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND

DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

August 22, 2006

Mr. Pat V. Phung, P.E.
U.S. Department of Transportation
Federal Highway Administration
Hawaii Division
P.O. Box 50206
Honolulu, Hawaii 96850

Dear Mr. Phung:

SUBJECT: 4(f) and 6(f) Evaluation of Lydgate-Kapa'a Bike/Pedestrian Path, Kaua'i

We apologize for the delay in responding to the Final Environmental Assessment and Draft Programmatic Section 4(f) and 6(f) Evaluation of the proposed extension of the bike/pedestrian path from Lydgate Park to Kapa'a. This 10-foot wide concrete path will begin at the Hikinaakalā Heiau Section of Wailua River State Park and cross the Wailua River. The path will follow the *makai* side of Kūhiō Highway along Wailua Beach Park. The other park area affected by this project is Lihi Park, also known as Waipouli Beach Park. These park areas are under the jurisdiction of the County of Kaua'i. An effort will be made to keep the path within the road right-of-way, but there will be instances where the path extends into the parks and may affect designated 6(f) parklands where Land and Water Conservation Fund (LWCF) grant funds were used for either park acquisition or park improvements.

In general, we believe that this path will increase the outdoor recreational opportunities available for the Wailua-Kapa'a communities of southern Kaua'i, including both residents and visitors. The demand for more linear paths for walking, jogging, and bicycling, was identified as a priority recreational need in Hawai'i's 2003 Statewide Comprehensive Outdoor Recreational Plan (SCORP). Therefore, this project meets one of the objectives in the SCORP strategic plan.

Our comments are presented by park area and include both 4(f) and 6(f) evaluations.

Hikinaakalā Heiau Section, Wailua River State Park

Because 4(f) also refers to historic properties, it is important that this evaluation consider Hikinaakalā Heiau, Hauola, and the petroglyphs along the banks of the Wailua River. As pointed out on page 6-7, these sites are part of the Wailua Complex of Heiau, a National Historic Landmark designated in 1962. While we agree that the pathway will not directly impact these historic properties, the indirect impacts should be addressed, such as visual impacts on the cultural landscape and the potential for increased public traffic through the historical area. As discussed on page 6-11, the mitigation of these indirect impacts might include landscaping and interpretation. Please note that the petroglyphs are incorrectly mapped on Figure A2.

During a meeting held on June 27, State Parks requested that your consultant, Kimura International, determine jurisdiction of the land between Kūhiō Highway and the cane-haul bridge by consulting with the State Department of Transportation. We have also requested that the County of Kaua'i address the use of

Mr. Pat Phung
August 22, 2006
Page 2

State Park land for the existing stub out. It is our understanding that the pathway will follow along the *makai* side of the cane-haul bridge and will involve the use of approximately 7,200 square feet of land within Wailua River State Park. Before granting approval to use the State Park land, as requested in your letter of March 28, 2006, we are requesting a better map indicating the location of the path in the park. As previously discussed with the County, State Parks would expect the land used for the bike path to be withdrawn from the State Park and set aside to the County.

The Hikinaakalā Heiau Section of Wailua River State Park was not part of the park acquisition using LWCF grant funds and therefore, is not within the 6(f) boundary map.

Wailua Beach Park

This park was part of the park acquisition in 1964-1967 using LWCF grant funds (LWCF Project 15-00012). Therefore, the use of approximately 41,500 square feet of the park will affect 6(f) parkland. Because the path promotes outdoor recreation and remains under the jurisdiction of the County parks, there should not be a "taking" according to 6(f). However, the evaluation should address any potential impacts on existing recreational activities, park facilities, and public access.

Lihi Park (Waipouli Beach Park)

This park on the southern side of Waika'ea Canal was part of the original acquisition of Kapa'a Beach Park. LWCF funds were used for park improvements in 1965 (LWCF Project 15-00001). Therefore, the use of approximately 800 square feet of park will affect 6(f) parkland and should be evaluated as discussed above.

Conclusions

Attached to this letter are the LWCF forms and maps for Projects 15-00001 and 15-00012 to assist with your 6(f) evaluation. Please provide a more complete evaluation of the impacts on existing recreational use, facilities, and access where the path will be located in the 6(f) parks.

Please clarify ownership of the land adjacent to the cane-haul road, including the boundaries of the right-of-way and the grassed area between the cane-haul road and Kūhiō Highway. We would also like to see a map that indicates the 7,200 square feet of land within Wailua River State Park being requested.

Once these documents are received, we should be able to complete our 4(f) and 6(f) evaluation and forward our review to the National Park Service. We should also be able to determine if we can approve the use of State Park land for the path. If you have any questions, please feel free to contact Martha Yent at 587-0287 or Martha.E.Yent@hawaii.gov

Very truly yours,



DANIEL S. QUINN
State Parks Administrator

Attachments

cc: Nancy Nishikawa, Kimura International
Wayne Souza, Kaua'i State Parks
Doug Haigh, Kaua'i County Dept. of Public Works

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Outdoor Recreation
Land and Water Conservation Fund Project Agreement

State	Hawaii	Project Number	51-00001
Project Title KAPAA BEACH DEVELOPMENT			
Period Covered by this Agreement 3/15/66 - 6/30/67		Project Period 3/15/66 - 6/30/67	
Project Scope (Description of Project)			

This project will be the development of a public beach park and include the following facilities: Two new open air pavilions (20 x 30 ft.), 7 tables, 4 outdoor grill fireplaces, leveling and paving with asphalt an area comprising 60 ft. x 250 ft., landscaping and beautification, extension of water and electric lines, installation of nightlights, construction of building to accommodate toilet facilities, dressing area and shower pads, reconstruction of existing comfort station to provide storage area and intensive development site planning prior to construction.

This project will be located within the town of Kapaa, on the Island of Kauai.

Project Stage Covered by this Agreement Complete Project.

Project Cost	Attachments
Total Cost \$ 50,400.00	1. General Provisions (dated December - 1965)
Fund Support 50 %	2. _____
Fund Amount \$ 25,200.00	3. _____
Cost of this Stage \$ 50,400.00	4. _____
Assistance this Stage \$ 25,200.00	

The United States of America, represented by the Director, Bureau of Outdoor Recreation, United States Department of the Interior, and the State named above (hereinafter referred to as the State), mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964), and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances attached hereto and hereby made a part hereof.

The United States hereby promises, in consideration of the promises made by the State herein, to obligate to the State the amount of money referred to above, and to tender to the State that portion of the obligation which is required to pay the United States' share of the costs of the above project stage, based upon the above percentage of assistance. The State hereby promises, in consideration of the promises made by the United States herein, to execute the project or project stage described above in accordance with the terms of this agreement.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

The State of Hawaii shall transfer to the County of Kauai all funds granted hereunder necessary to the undertaking and completion of this project.

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

THE UNITED STATES OF AMERICA

STATE

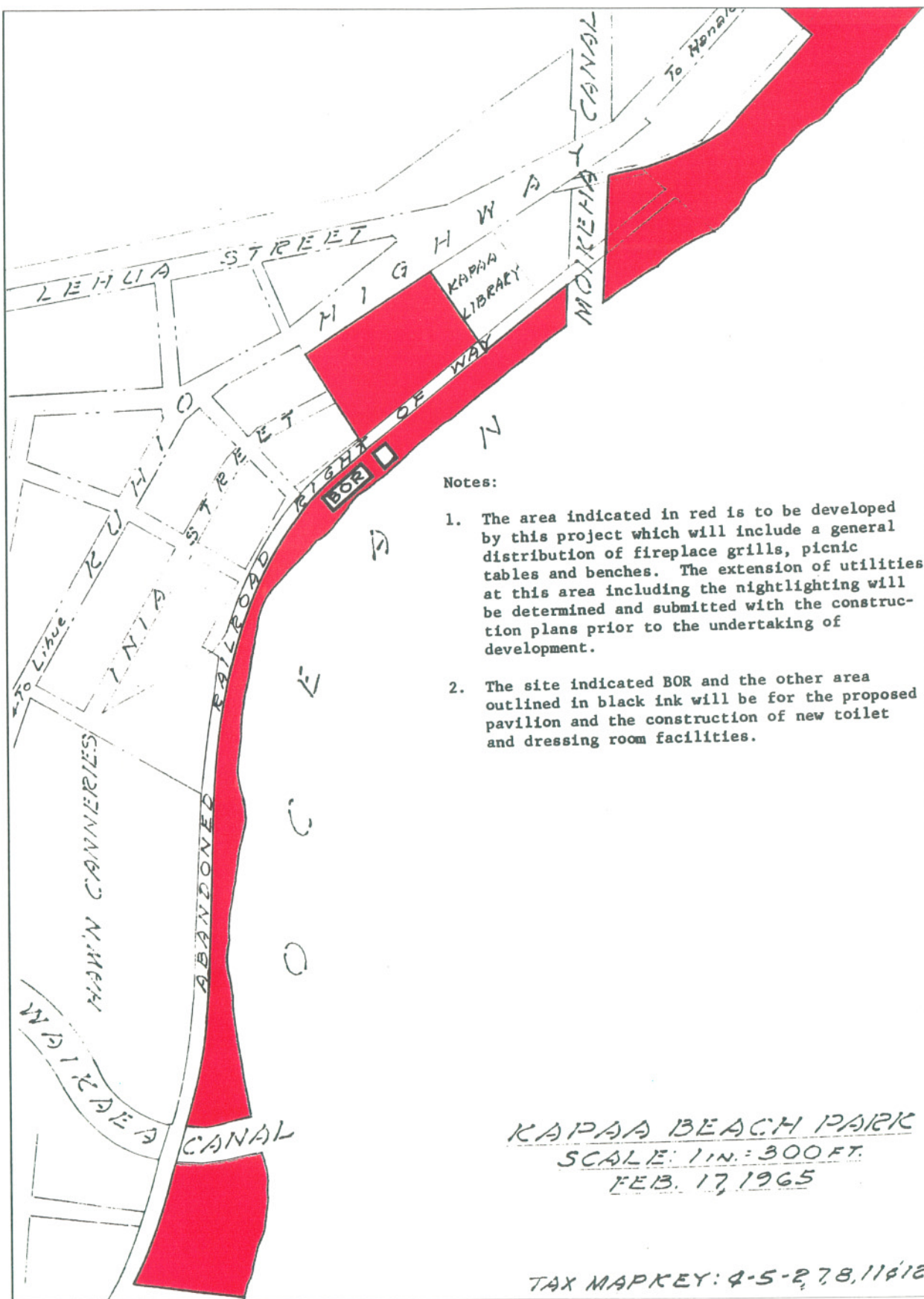
By Lawrence H. Stevens
Director, Bureau of Outdoor
Recreation
United States Department of
the Interior

Hawaii
(State)

By _____
(Signature)
Shelley M. Mark

Date 6-1-68

Liaison Officer
(Title)



Notes:

1. The area indicated in red is to be developed by this project which will include a general distribution of fireplace grills, picnic tables and benches. The extension of utilities at this area including the nightlighting will be determined and submitted with the construction plans prior to the undertaking of development.
2. The site indicated BOR and the other area outlined in black ink will be for the proposed pavilion and the construction of new toilet and dressing room facilities.

KAPAA BEACH PARK
SCALE: 1 IN. = 300 FT.
FEB. 17, 1965

TAX MAP KEY: 4-5-278, 11612

UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Outdoor Recreation
Land and Water Conservation Fund Project Agreement

State	Hawaii	Project Number	51-00012
Project Title			
Wailua River State Park Development			
Period Covered by this Agreement		Project Period	
10/1/64 - 12/31/67		10/1/64 - 12/31/67	
Project Scope (Description of Project)			

This project is an intensive development of part of an ocean beach-wilderness stream State Park. This State Park, which contains a total of approximately 416 acres, includes specific areas known as the Lydgate, Poliahu, Kuamualii, Opaekaa, Fern Grotto and the Wailua River Reserve areas, which are closely inter-related and largely contiguous, and are therefore managed as one unit.

This project proposal includes: (a) construction of a marina and boat launching facilities; (b) snagging, dredging, and clearing the stream for navigation of small boats; (c) providing outdoor lighting facilities for beach picnic areas; (d) landscaping of stream banks and other areas; and (e) construction of picnic and camping facilities including cabana shelters, tables, fireplace grills, utilities and restroom facilities.

Project Stage Covered by this Agreement

Complete Project

Project Cost		Attachments
Total Cost	\$ 498,510.00	1. General Provisions (dated December, 1965)
Fund Support	50 %	2. _____
Fund Amount	\$ 249,255.00	3. _____
Cost of this Stage	\$ 498,510.00	4. _____
Assistance this Stage	\$ 249,255.00	

The United States of America, represented by the Director, Bureau of Outdoor Recreation, United States Department of the Interior, and the State named above (hereinafter referred to as the State), mutually agree to perform this agreement in accordance with the Land and Water Conservation Fund Act of 1965, 78 Stat. 897 (1964), and with the terms, promises, conditions, plans, specifications, estimates, procedures, project proposals, maps, and assurances attached hereto and hereby made a part hereof.

The United States hereby promises, in consideration of the promises made by the State herein, to obligate to the State the amount of money referred to above, and to tender to the State that portion of the obligation which is required to pay the United States' share of the costs of the above project stage, based upon the above percentage of assistance. The State hereby promises, in consideration of the promises made by the United States herein, to execute the project or project stage described above in accordance with the terms of this agreement.

The following special project terms and conditions were added to this agreement before it was signed by the parties hereto:

In witness whereof, the parties hereto have executed this agreement as of the date entered below.

THE UNITED STATES OF AMERICA

STATE

By

Director, Bureau of Outdoor
Recreation
United States Department of
the Interior

Date

Hawaii

(State)

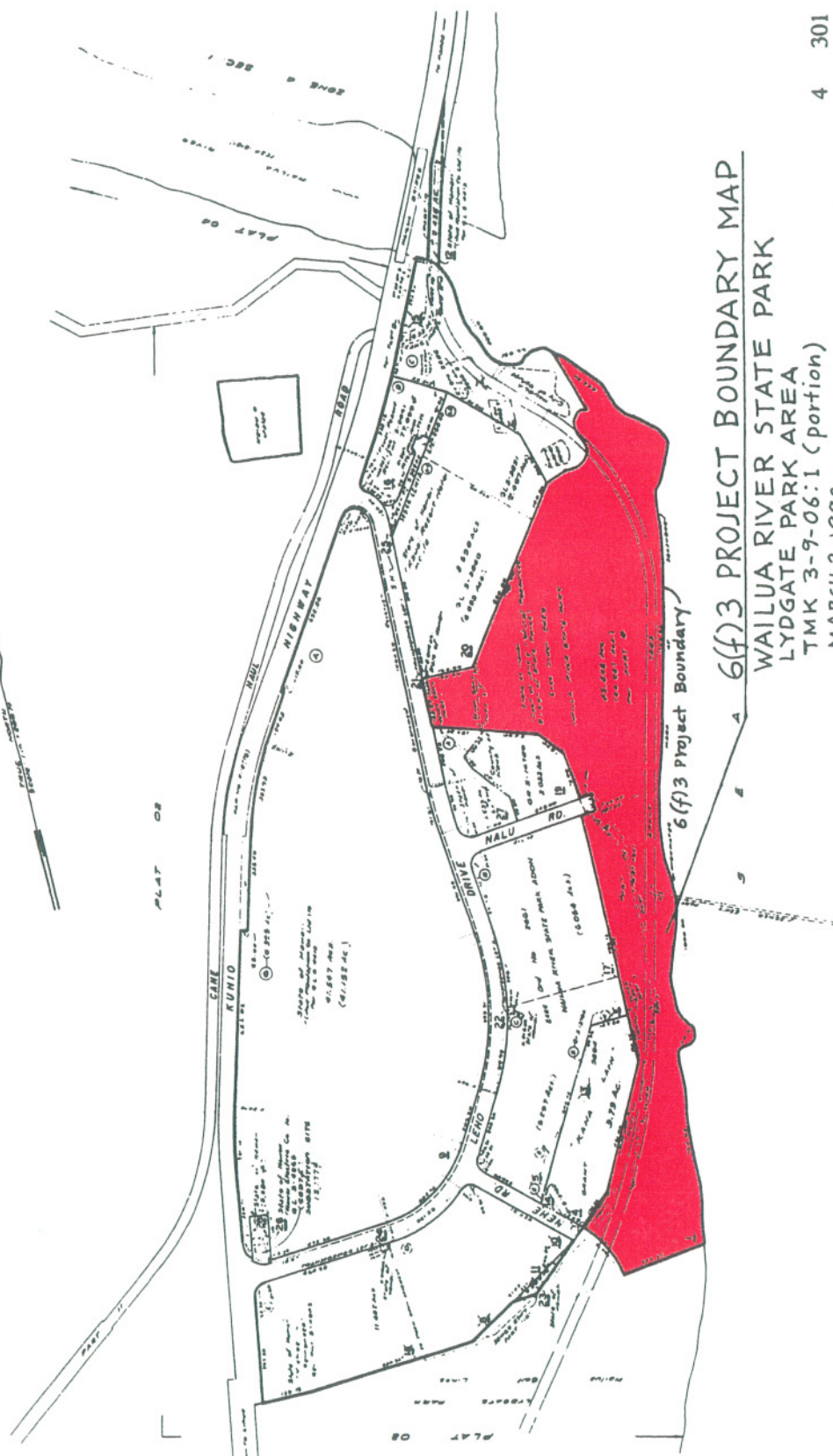
By


(Signature)

Shelley M. Mark
State Liaison Officer

(Title)

13 State of Hawaii, Department of Land and Natural Resources, Division of Land Management, Planning and Development, 1505 East Wahiawa Road, Wahiawa, Hawaii 96786

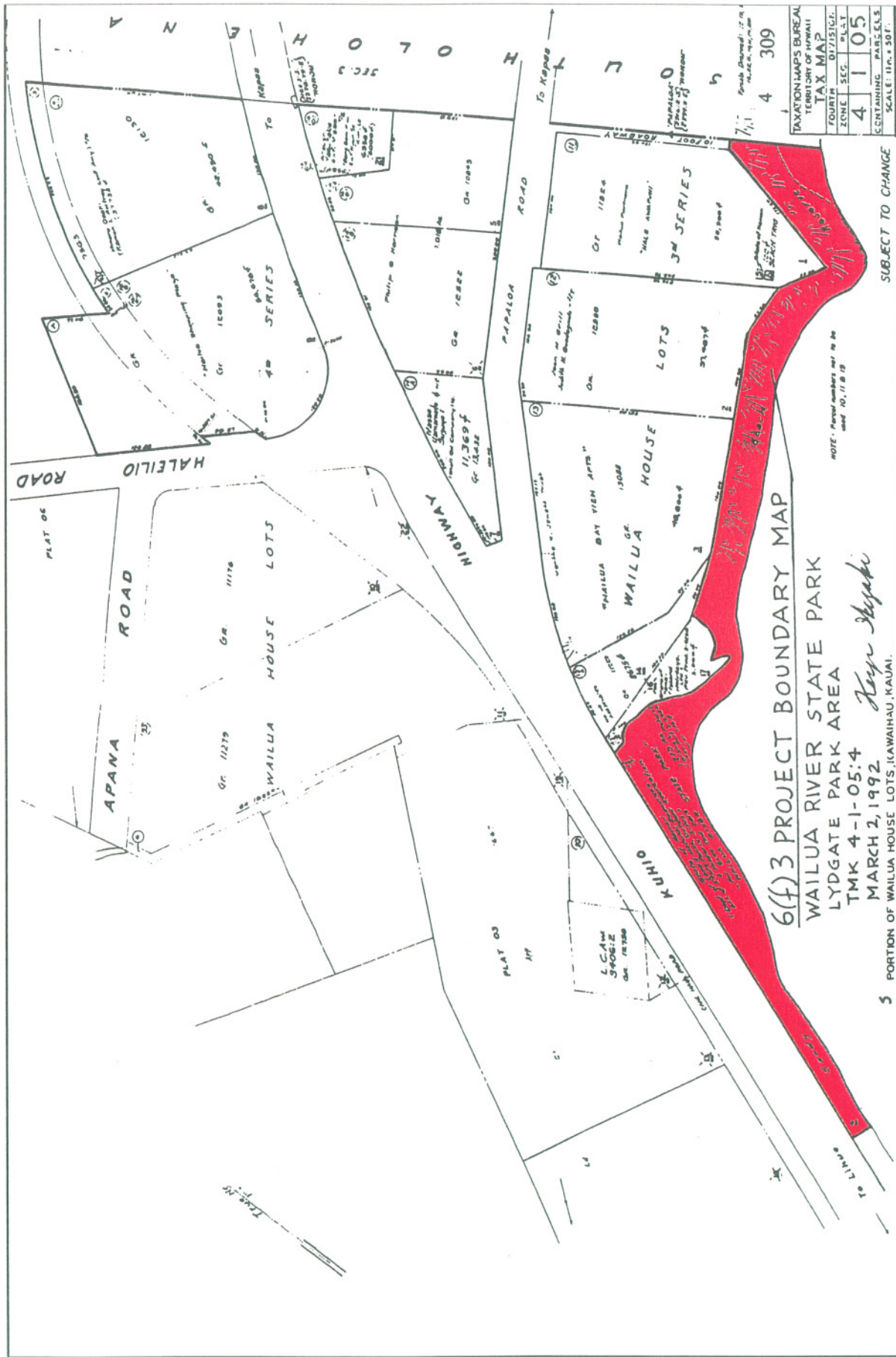


6(f)3 PROJECT BOUNDARY MAP
WAILUA RIVER STATE PARK
LYDGATE PARK AREA
TMK 3-9-06:1 (portion)
MARCH 2, 1992
Kay Shigeki

4 301

Revised: December 19, 1991, by J.S., J.C., J.M., J.P., J.R., J.S., J.W., J.Y., J.Z., J.A., J.B., J.C., J.D., J.E., J.F., J.G., J.H., J.I., J.J., J.K., J.L., J.M., J.N., J.O., J.P., J.Q., J.R., J.S., J.T., J.U., J.V., J.W., J.X., J.Y., J.Z.

DEPARTMENT OF TAXATION	
TAXATION MAPS DIVISION	
STATE OF HAWAII	
TAX MAP	
PROJECT	3-9-06
DATE	3-9-92
SCALE: 1" = 200 FT.	



6(f)3 PROJECT BOUNDARY MAP

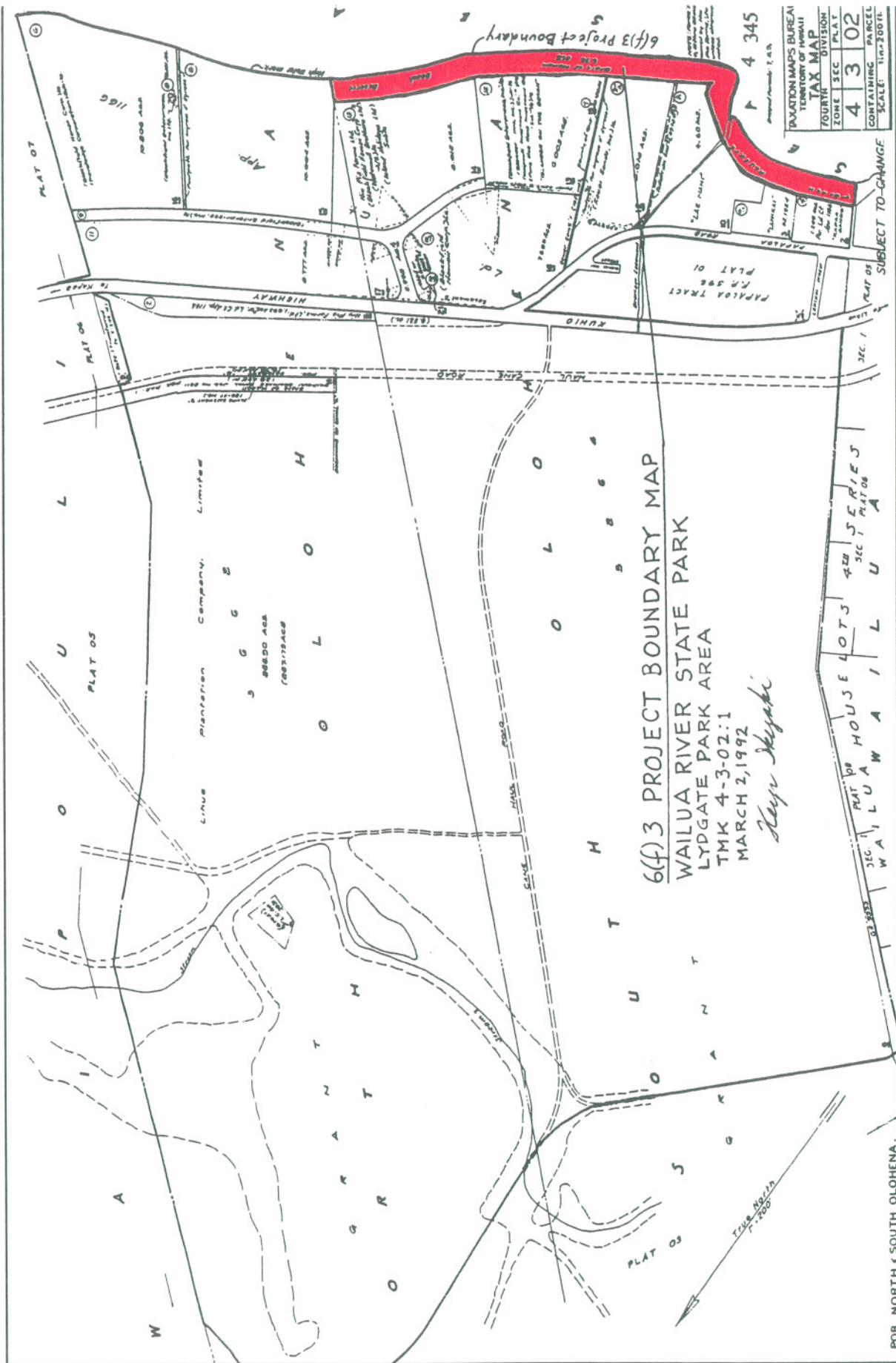
WAILUA RIVER STATE PARK
 LYDGATE PARK AREA
 TMK 4-1-05:4
 MARCH 2, 1992
 KAYE SHYAKI

5 PORTION OF WAILUA HOUSE LOTS, KAWAHAU, KAUAI.

NOTE: Parcel numbers not to be used 10, 11 & 12

SUBJECT TO CHANGE

TAXATION MAPS BUREAU			
TERRITORY OF HAWAII			
TAX MAP			
FOURTH	07/15/12	PLAT	4
ZONE	SEC	BLK	105
CONTAINING PARCELS			
SCALE: 1" = 50'			



6(f)3 PROJECT BOUNDARY MAP
WAILUA RIVER STATE PARK
LYDGATE PARK AREA
TMK 4-3-02:1
MARCH 2, 1992
Key: Key

TAX MAP			
TAXATION MAPS BUREAU			
TERRITORY OF HAWAII			
FOURTH	SEC	PLAT	PARTIAL
4	3	02	
CONTAINING PARCEL			
SCALE: 1"=200'			

POR. NORTH & SOUTH OLOHENA.



U.S. Department
of Transportation

**Federal Highway
Administration**

Hawaii Division
Box 50206
300 Ala Moana Boulevard, Room 3-306
Honolulu, HI 96850

December 5, 2006

In Reply Refer To:
HEC-HI

Mr. Daniel Quinn, Administrator
Division of State Parks
Department of Land and Natural Resources
1151 Punchbowl Street, Room 310
Honolulu, HI 96813

Attn: Ms. Martha Yent

Dear Mr. Quinn:

Subject: Lydgate Park-Kapa'a Bike/Pedestrian Path
CMAQ-0700(49)
Section 4(f) and 6(f) Consultation

Thank you for your comments on the Draft Programmatic Section 4(f) and Section 6(f) Evaluation for the Lydgate Park to Kapa'a Bike and Pedestrian Path project, transmitted by letter dated August 22, 2006. We also note that the project planning team met with Ms. Martha Yent on August 28, 2006, to discuss the comments.

A revised Section 4(f) and Section 6(f) document has been prepared based on comments received from your agency and is attached. The changes are summarized below with references to the revised sections.

Hikinaakalā Heiau Section, Wailua River State Park

Section 7.3 includes a discussion of indirect impacts, including the potential for increased public traffic through the archaeological sites. Measures to mitigate the potential impacts are listed in Section 10. The County of Kaua'i will supplement the landscaping in the cul-de-sac area to create a better buffer between the path and the surrounding park land as a deterrent against off-path use. In the new section of the path, north of the cul-de-sac, the County will use a mix of landscaping, physical barriers, and signage, both for aesthetic purpose and to keep users on the path. For the section of the path that is contiguous with State park land, the County will provide preliminary design plans, including landscaping and signage, to the Division of State Parks for approval.

Figure A-2 has been revised to show the correct location of the petroglyph site.



To give you a better indication of the path location, attached are two maps. One map shows the approximate areas that will be requested from the State Park. A combined request for transfer of the property will be submitted and processed by the State Department of Transportation as part of the project titled Kūhiō Highway Short-term Improvements, Wailua River Bridge (Project No. 56A-02-06). Because the bike/pedestrian path will be integrated into the new deck for the cane haul bridge, the path project is being folded into the bridge project in the vicinity of Wailua River. A more detailed map is being prepared by HDOT's cadastral staff for the land transfer request.

- The area shown in yellow demarcates the cul-de-sac portion of the existing bike/pedestrian path. This area will be subdivided and ultimately transferred to the County of Kaua'i.
- The green area shows the cane haul bridge and approaches. The cane haul bridge has been used by the HDOT since the 1990s, when it became part of Kūhiō Highway and open to the motoring public. Improvements to the cane haul bridge were made initially through Project 56A-01-91 and, more recently, through Project STP 056-1(43) to refurbish the deck and install guardrails. Research-to-date indicates that use of the cane haul bridge was granted through a right-of-entry and a construction easement was obtained in the past, but a permanent easement was not acquired. DOT is in the process of obtaining an Executive Order to withdraw lands in the highway corridor from the State Park to establish a DOT right-of-way. The new bike/pedestrian path will be constructed within the limits of the proposed highway right-of-way, approximately 60 feet wide.
- The parcels shown in blue are located between the two bridges and are virtually encircled by roadways. HDOT will be requesting these properties for use as a construction staging area in the short-term and for long-term maintenance of the bridges. This area is also needed to accommodate improvements to the connector road. The connector road will be used more heavily for access to the marina area after changes are made to traffic patterns on the bridges.

A second map attachment is a site plan of the short-term Wailua Bridge Improvements and shows the location of the path.

Wailua Beach Park

Section 7.1 includes updated information about the path's alignment. Originally, the path was aligned parallel to Kūhiō Highway. However, to avoid potential conflicts with vehicular access from Kūhiō Highway, the path will be located immediately Makai of the two existing parking areas on the north and south ends of the park. Through the middle section, the path will be aligned along the Mauka boundary of the park, close to the highway. The revised alignment will separate vehicles and pedestrians, thereby increasing safety and the path will still be located on the perimeter of recreational space.

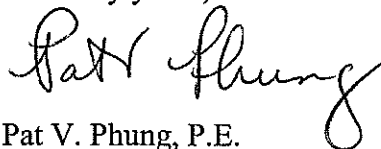
Lihi Park (Waipouli Beach Park)

We note that Lihi Park, as part of the larger Kapa'a Beach Park, is a Section 6(f) property and has been added to the table in Section 6 of the evaluation.

Section 7.2 includes a more detailed discussion of expected project impacts. Although the path will occupy park space, the overall effect will be a net benefit to the recreational experience afforded to park users.

We believe the revised Programmatic Section 4(f) and 6(f) Evaluation provides the information needed to complete your evaluation on the use of State Park land for the bike and pedestrian path. However, if you have any questions or concerns, please contact me at 541-2700 ext. 305.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Pat Phung", written in a cursive style.

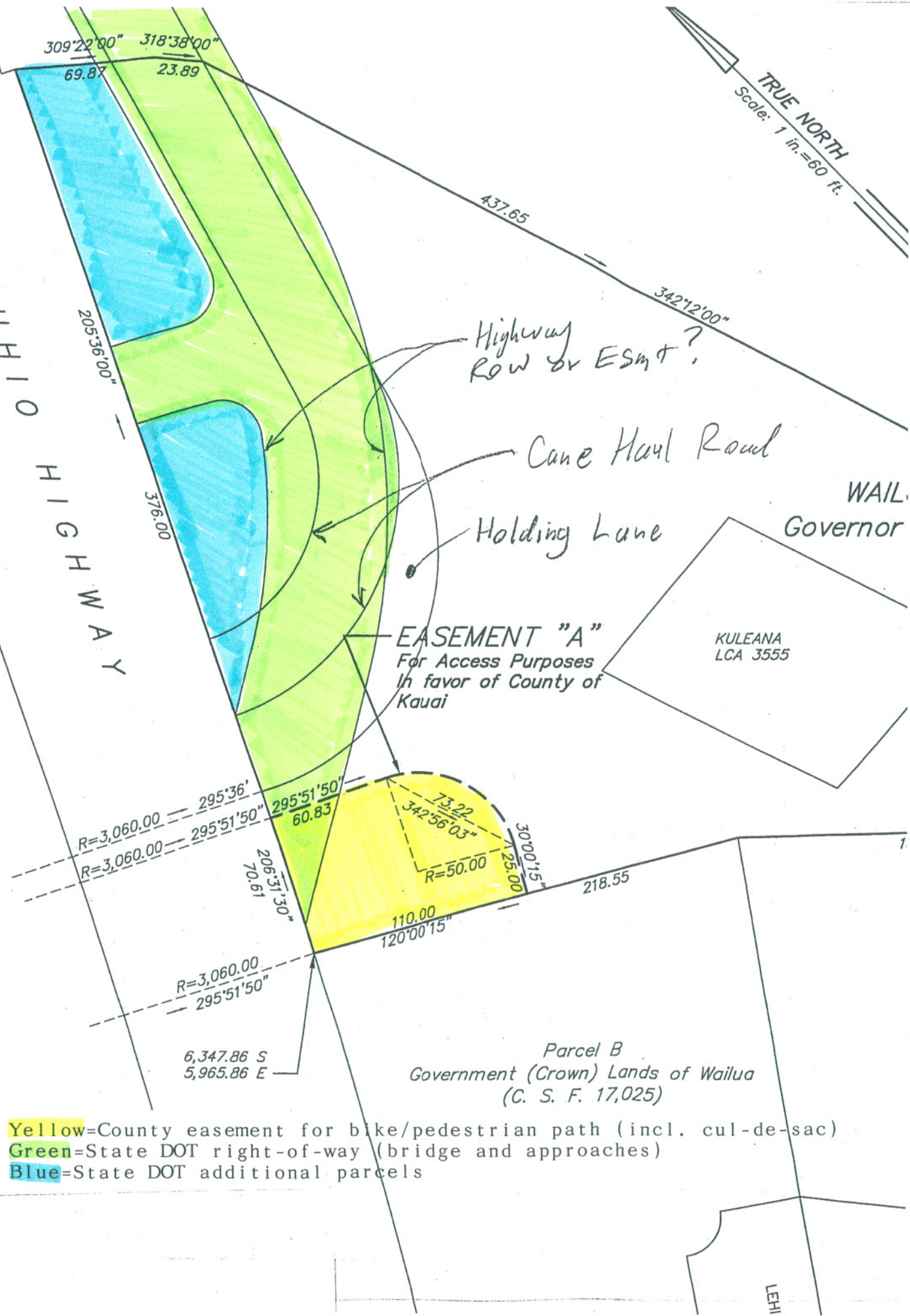
Pat V. Phung, P.E.
Transportation Engineer

Enclosures

Cc: Mr. Douglas Haigh, Kaua'i Department of Public Works
Ms. Christine Yamasaki, HDOT, HWY-D
Mr. Glenn Kimura, Kimura International, Inc.

TRUE NORTH
Scale: 1 in. = 60 ft.

KUHIO HIGHWAY



Yellow=County easement for bike/pedestrian path (incl. cul-de-sac)
Green=State DOT right-of-way (bridge and approaches)
Blue=State DOT additional parcels

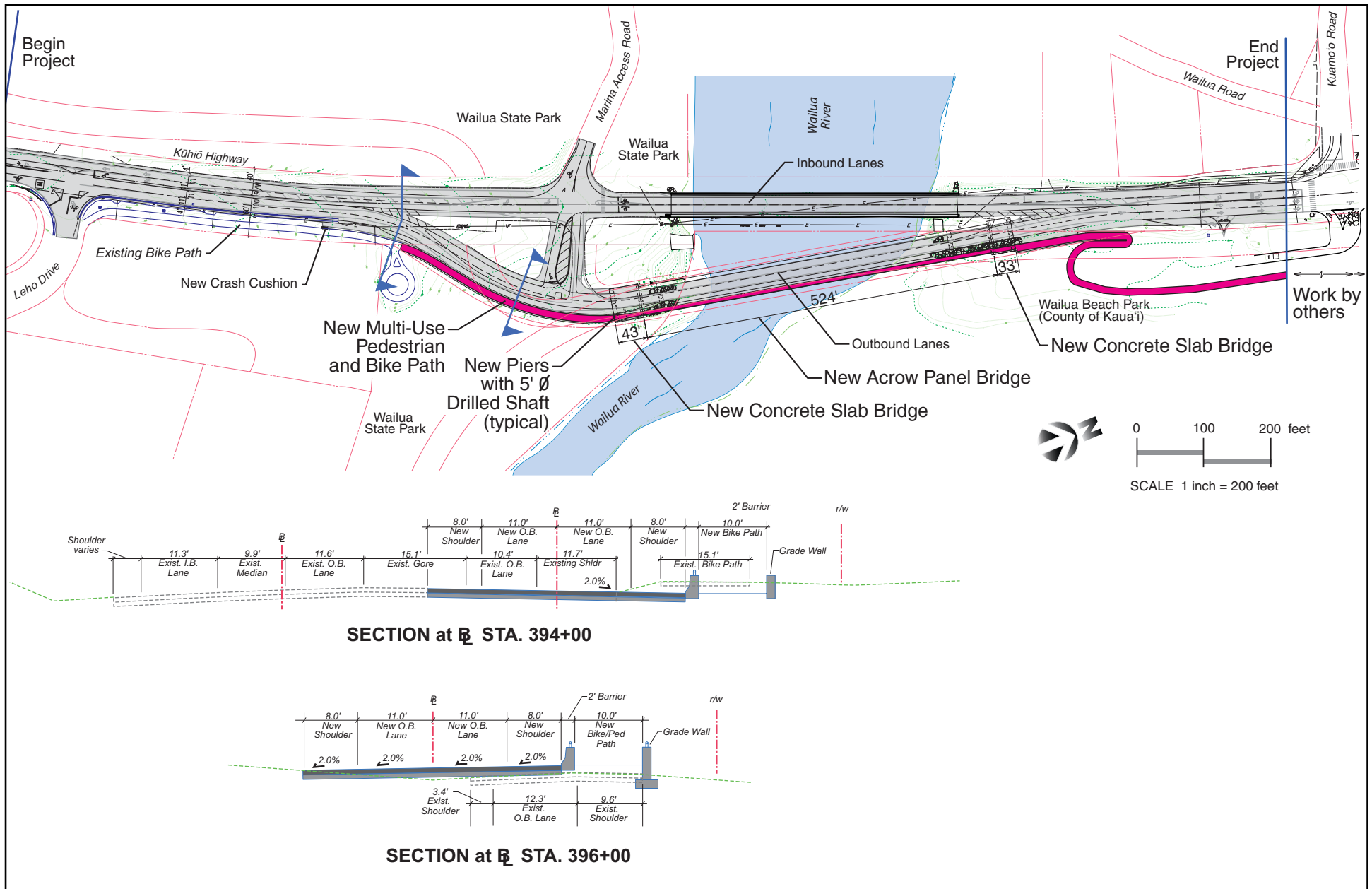


Figure 4
Wailua Bridge Improvements
Site Plan
 Wailua River Bridge Improvements

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

DIVISION OF STATE PARKS
POST OFFICE BOX 621
HONOLULU, HAWAII 96809

ALLAN A. SMITH
INTERIM CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

PETER T. YOUNG
DEPUTY DIRECTOR

KEN C. KAWAHARA
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

July 6, 2007

RECEIVED JUL 10 2007

Mr. Pat. V. Phung, P.E.
Federal Highway Administration
U.S. Department of Transportation
P.O. Box 50206
Honolulu, Hawai'i 96850

Dear Mr. Phung:

SUBJECT: Final Environmental Assessment for Lydgate Park - Kapa'a Bike/Pedestrian Path and
Review of 4(f) and 6(f) Evaluation for the Proposed Path Project CMAQ-0700(49)

This letter provides our comments on the Final Environmental Assessment (FEA) and your correspondence of December 5, 2006 for the proposed Lydgate Park to Kapa'a Bike/Pedestrian Path. In both documents, there is a 4(f) and 6(f) evaluation to use portions of both State and County park lands for the path. As indicated in our previous reviews of this project, State Parks supports the bike/pedestrian path and believes that it will enhance the outdoor recreational opportunities for Kaua'i residents and visitors. As pointed out in the FEA (page 5-13) the need for more walking/jogging/biking paths was identified as a major recreational demand in the 2003 Statewide Comprehensive Outdoor Recreation Plan (SCORP).

Because the southern end of the path is located at the Hikinaakalā Heiau section of Wailua River State Park, we suggested several measures to mitigate the potential impacts of the path on the historic sites. Hikinaakalā Heiau and the petroglyph boulders (Sites 105 and 105A) are located at least 250 feet *makai* of the proposed path and therefore, we do not believe these sites will be directly impacted by the project. However, to protect these sites from foot and bike traffic that may go off the designed path, the FEA adopted our recommendation for a vegetation "hedge" and interpretive signs to discourage this traffic off the path. This hedge should be kept low to maintain significant view corridors *makai* from the path.

For your reference, there were several items that were stated or shown incorrectly in the FEA:

- Page 4-38: The National Historic Landmark site was designated in 1962, not 1988.
- Page 4-42: The *pu'uhonua* should be translated as place of refuge, not city of refuge.
- Figure 21: The entirety of Wailua River State Park should be reflected by dark green color.

Transfer of a Portion of Wailua River State Park

The transfer of an estimated 7,700 square feet from State Parks to DOT and the County of Kaua'i has been requested for this project. The maps attached to your correspondence of December 5, 2006 delineated these areas. State Parks agrees in concept to the transfer of land currently within

Wailua River State Park for the following reasons: 1) land adjacent to the cane haul bridge will be transferred to DOT for the widening of the roadway and addition of the bike/pedestrian path, and 2) land encompassing the existing cul-de-sac and the path adjacent to Kūhiō Highway will be transferred to the County of Kaua'i. However, before concurring with a final configuration of the land to be transferred, we would like to request your consideration of the following:

- For management purposes, it is easier for State Parks to deal with straight property lines, rather than curves that are difficult to delineate in the field.
- A map showing the cul-de-sac and slope relative to the proposed property boundary (referred to as Easement A in the maps provided) would assist in our assessment.
- We recognize that the bike/pedestrian path project is closely aligned with the short-term improvements proposed for the cane-haul bridge by DOT as shown in the Figure 4 Site Plan attached to your letter. However, a more detailed map of the bridge and path alignment relative to the park land being requested for transfer is requested for our final concurrence.

Sections 4(f) and 6(f) Evaluation (Appendix A)

Our previous correspondence to the Federal Highways Administration dated August 22, 2006 provided comments on the 4(f) and 6(f) evaluation. In this correspondence, we requested a further analysis of the potential impacts on the existing recreational use, facilities, and access. This comment was cited on page 10 of Appendix A, and it was indicated in the FEA that these issues were addressed. However, we do not feel that the full range of potential impacts was adequately assessed for the 6(f) properties. These recreational impacts need to be considered before State Parks can make a determination and provide a recommendation to the National Park Service (NPS). For example, the proposed route of the path at Wailua Beach will take beach area currently used for ocean recreation. Will the path affect the sandlot volleyball court at the northern end of the beach? It should be clearly stated that the path will not impact access to the beach from the parking lots. Has it been determined that the current size of the parking lot will accommodate walkers, bikers, and beachgoers without creating any user conflicts? In other words, the evaluation should insure that the project will not negatively impact the current park and recreation use.

Some additional considerations based on the project area as identified in Figure 1:

- It should be clear that Lihi Park was considered part of Kapa'a Beach Park when the LWCF project was conducted in 1966-67 in the 6(f) table in Appendix A. The 6(f) boundary is correctly shown in Figure A3.
- LWCF Project 15-00013 (Marina entry parcel; TMK: 3-9-04: 6) is not shown as a 6(f) property on Figure A2 or included in the table of 6(f) parks in Section 6 of Appendix A. Although not directly affected by the project, the LWCF parcel is within the project area delineated in Figure 1 and therefore, should be shown as a 6(f) property.
- Wailua Homestead Park (called Wailua House Lot Park in the FEA) should be shown as a 6(f) park on Figure A1 and included in the table of 6(f) parks in Section 6 of Appendix A. The Wailua Homestead Park is referenced as LWCF Project 15-00103. The path ends on Nounou

Mr. Pat V. Phung

July 6, 2007

Page 3

Road adjacent to the park and there may be a potential impact if the existing parking lot is used by walkers and bikers.

- In Appendix A (page 12), there is a statement that "the park lands do not contain critical habitats or significant historic resources". This statement is misleading since there are historic resources in Wailua River State Park. Therefore, it would be more accurate to state "the portion of the park lands affected in the project area do not contain critical habitats or significant historic resources" (project area as shown in Figure 1).
- Impacts to river recreation during construction or after completion of the path across the Wailua River are not addressed. The FEA indicates that no new piers will be constructed for the bridge across the river and the structure will maintain the existing piles and piers. However, will the construction affect recreation along the river or at the rivermouth in any way?

The proposed bike/pedestrian path will enhance outdoor recreation, but because the path occurs in existing recreation areas, there needs to be an assessment of any potential impacts to this current use of park resources and facilities. If a revised 4(f) and 6(f) evaluation can address the concerns above, State Parks will finalize its review and submit our recommendations to NPS with your evaluation document.

If you have any questions, please feel free to contact Martha Yent, LWCF Coordinator (587-0287) or Wayne Souza, Kaua'i State Parks Superintendent (274-3446).

Very truly yours,



DANIEL S. QUINN
State Parks Administrator

cc: Nancy Nishikawa, Kimura International
Doug Haigh, County of Kaua'i
Laurie Yoshida, Kaua'i Liaison, Governor's Office
Wayne Souza, State Parks Kaua'i District

Appendix E

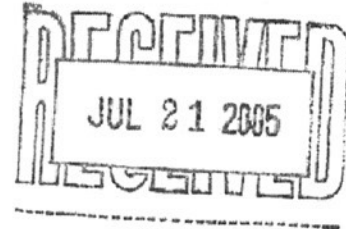
Consultation pursuant to
Section 7, Endangered Species Act

For the Lydgate Park-Kapa‘a Bike/Pedestrian Path



U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Pacific Islands Regional Office
1601 Kapiolani Blvd., Suite 1110
Honolulu, Hawaii 96814-4700
(808) 973-2937 • Fax: (808) 973-2941

July 15, 2005



Glenn T. Kimura
Kimura International
1600 Kapiolani Blvd., Suite 1610
Honolulu, HI 96814

RE: Final Environmental Assessment for Proposed Lydgate Park – Kapa'a Bike/Pedestrian Path CMAQ-0700(49)
Please refer to Consultation No.: I-PI-05-438-TF

Dear Mr. Young:

This letter responds to your letter dated June 9, 2005, regarding the Draft Final Environmental Assessment for the Proposed Lydgate Park – Kapa'a Bike/Pedestrian Path. Your letter requests that comments be submitted on the project. We provide the following comments and information under our statutory authorities under the Endangered Species Act of 1973 (ESA), as amended (16 U.S.C. §1531 *et seq.*), and the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*).

The County of Kauai proposes to construct a shared use path from Lydgate Park to Waika'e Canal in Kapa'a. Total distance of the path would be approximately two miles. The majority of the path will be 10 to 12 feet wide and made of concrete. The path will not include comfort stations, pavilion areas, picnic areas, or parking areas. One alternative considered for the Papaloa Coastal Access Phase is to have the path turn inland at Papaloa Road with a five foot wide subsidiary path for pedestrian traffic only following a coastal route and constructed on county land. The subsidiary path would connect again to the main path north of the Kukui Heiau. At this point the main path would then continue north along the coast to Mokiha of Kauai before turning inland again.

ESA-listed species under NOAA Fisheries jurisdiction that may be present in the vicinity of the proposed project area include Hawaiian monk seals. Hawaiian monk seals are known to haul out on the beach areas in both the Papaloa Coastal Access Phase and the Coastal Extension Phase. You should be aware that the presence of the bike/pedestrian path near to known monk seal haulouts could increase the likelihood of interactions between monk seals and people. You should also be aware that if monk seals hauled out near the proposed path it could become necessary to temporarily block sections of the shoreline or path in order to ensure that monk



seals are not disturbed.

As you indicated in your letter, warning signs, informational literature, and protocols are already employed during haul out events. You also indicated that supplemental signs could be installed as needed and that the coastal path for pedestrians would be located as far inland as practicable. To further minimize the potential for interactions between people and monk seals we recommend you consider the following mitigation measures:

1. Plant vegetation (i.e. naupaka) between beach areas and the path to serve as a natural barrier. This vegetation would not be meant to inhibit beach access, rather, it would be intended to form a visual barrier thus minimizing disturbance of monk seals.
2. We encourage the posting of signs along the Papaloa Access Phase and Coastal Extension Phase informing people of the possibility of monk seal haulouts and proper behavior in the presence of monk seals.
3. We encourage placement of the path as far inland as possible in order to maximize the distance between people and monk seals.
4. We encourage construction of a combined bike path and walking path from the Sea Shell Restaurant to the Kukui Heiau to minimize the possibilities of interactions between people and monk seals at Papaloa Bay.

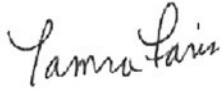
Care should also be taken during the project's construction phase to avoid interactions with monk seals. Below we have listed a set of protocols we recommend be followed to avoid these interactions.

1. A survey of the project area should be performed just prior to commencement or resumption of construction activity to ensure that no protected spec(ies) are in the project area. If protected spec(ies) are detected, construction activities must be postponed until the animal(s) voluntarily leave the area.
2. If any listed spec(ies) enters the area during the conduct of construction activities, all activities must cease until the animal(s) voluntarily depart the area.
3. All on-site project personnel must be apprised of the status of any listed spec(ies) potentially present in the project area and the protections afforded to those species under Federal laws. A brochure explaining the laws and guidelines for listed species in Hawaii, American Samoa, and Guam may be downloaded from http://www.nmfs.noaa.gov/prot_res/MMWatch/hawaii.htm.
4. Any incidental take of marine mammals must be reported immediately to NOAA Fisheries' 24-hour hotline at 1-888-256-9840. Hawaii only: Any injuries to sea turtles must be reported immediately to NOAA Fisheries at 1-808-983-5730. Information reported must include the name and phone number of a point of contact, location of the incident, and nature of the take and/or injury.

5. Appropriate best management practices (BMPs) must be implemented as applicable to minimize turbidity, minimize species disturbance, and to avoid the release of pollutants into the water.
6. Any intake pipes on project-related equipment must be screened or otherwise configured to ensure the prevention of entrainment of protected species.

Thank you for working with NOAA Fisheries Service to protect our nation's living marine resources.

Sincerely,

A handwritten signature in cursive script that reads "Tamra Faris".

Tamra Faris
Assistant Regional Administrator
for Protected Resources



United States Department of the Interior



FISH AND WILDLIFE SERVICE

Pacific Islands Fish and Wildlife Office
300 Ala Moana Boulevard, Room 3-122, Box 50088
Honolulu, Hawaii 96850

In Reply Refer To:
1-2-2005-I-268

AUG 11 2005

Glenn T. Kimura
Kimura International, Inc.
1600 Kapiolani Boulevard, Suite 1610
Honolulu, Hawaii 96814

Dear Mr. Kimura:

Thank you for your request of June 9, 2005, for our concurrence under section 7 of the Endangered Species Act (Act) with determinations in your Final Environmental Assessment (FEA) regarding the effects on threatened and endangered species of the proposed Lydgate Park-Kapaa Bike/Pedestrian Path CMAQ-0700(49). We received your letter on June 10, 2005. We understand that the project will be funded in part by the Federal Highway Administration and that you have determined that the proposed project will not adversely affect the listed species that may occur in the action area: the threatened green sea turtle (*Chelonia mydas*) and Newell's shearwater (*Puffinus auricularis newelli*), and the endangered Hawaiian petrel (*Pterodroma sandwichensis*), Hawaiian duck (*Anas wyvilliana*), Hawaiian coot (*Fulica alai*), Hawaiian common moorhen (*Gallinula chloropus sandvicensis*), and Hawaiian stilt (*Himantopus mexicanus knudseni*). The FEA also includes determinations regarding the endangered Hawaiian monk seal (*Monachus schauinslandi*). Please note that the National Marine Fisheries Service, not the U.S. Fish and Wildlife Service, has regulatory authority under the Act for this species and for sea turtles that are in the ocean and not hauled out or nesting on the beach.

We concur with your conclusion that this project is unlikely to have negative impacts on listed waterbirds, and that native wildlife will benefit from the removal of a feral cat "feeding station" in the vicinity of the project area. We also agree with your determination that the existing Federal and State protection and public outreach programs are sufficient to minimize adverse effects on sea turtles that happen to haul out in the vicinity of the proposed bike/pedestrian path, especially given the likely low frequency of this occurrence. Finally, we concur with your determination that the project is unlikely to adversely affect the two listed seabird species if lighting associated with the bike/pedestrian path is shielded to prevent light from "leaking" upward and disorienting birds traveling to or from their montane nesting areas. In addition, we recommend that any lights be set directly into the railings or guard rails on the Wailua River bridge and that the shortest poles and lowest wattage bulbs possible be used for any other lights.

We understand that wedge-tailed shearwaters (*Puffinus pacificus*) may nest in littoral vegetation in the project area, and nesting adults thus may be displaced by construction of this path. This species is not threatened or endangered, but it is protected federally from take under the

TAKE PRIDE
IN AMERICA 

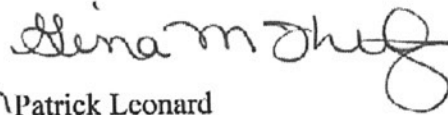
Glenn T. Kimura


2

Migratory Bird Treaty Act. Please contact our office for more information about avoiding and minimizing negative impacts to migratory birds.

Thank you for your efforts to conserve endangered species. If you have any questions, please contact Holly Freifeld, Fish and Wildlife Biologist (phone: 808/792-9400; fax: 808/792-9581).

Sincerely,

A handwritten signature in cursive script, appearing to read "Patrick Leonard".

 Patrick Leonard
Field Supervisor

cc:

Pat Phung, FHWA



July 9, 2007

Mr. Patrick Leonard, Field Supervisor
U.S. Fish and Wildlife Service
Pacific Islands Office
300 Ala Moana Blvd, Room 5-311
Box 50187
Honolulu, HI 96850

Dear Mr. Leonard,

Consultation under Section 7 of the Endangered Species Act
Kūhiō Highway Short-term Improvements, Wailua Cane Haul Bridge Widening
Project No. FAP BR-056-1(51)

The purpose of this letter is to inform you of proposed transportation projects in the Wailua River corridor on Kaua'i. These projects are funded, in part, by the Federal Highway Administration; therefore, we are contacting you pursuant to Section 7 of the Endangered Species Act.

Wailua Cane Haul Bridge Widening (Bridge Project)

The State of Hawai'i, Department of Transportation (HDOT), in cooperation with the FHWA and County of Kaua'i, is planning to reconstruct a former cane haul bridge across Wailua River. The cane haul bridge is one of two bridges crossing the river and has been used for highway traffic since the 1990s. This project will remove the existing one-lane bridge deck and replace it with a wider deck for two vehicular lanes and a cantilevered extension for pedestrians (see attached site plan).

Lydgate Park to Kapa'a Bike/Pedestrian Path (Path Project)

In a separate project, the County of Kaua'i has planned a bike and pedestrian path from Lydgate Park to Kapa'a (Waika'e Canal). To cross Wailua River, a cantilevered addition to the cane haul bridge was proposed for use by pedestrians and bicyclists. Given the timing of the two projects, the river crossing portion of the path project was folded into HDOT's bridge project.

Prior Consultation with USFWS

During the environmental review process for the path project, we requested input from your agency. A reply was received on August 11, 2005 (Letter 1-2-2005-I-268). This letter stated that the project is unlikely to have an adverse effect on the two listed seabird species if lighting associated with the bike/pedestrian path is shielded to prevent light from "leaking" upward and disorienting birds traveling to or from their montane nesting areas. The letter further recommended that any lights be set directly into the railings or guardrails on the Wailua River bridge and that the shortest poles and lowest wattage bulbs possible be used for other lights.

Environmental Assessment for the Bridge Project

In accordance with Chapter 343, Hawai'i Revised Statutes, a Draft Environmental Assessment (DEA) was prepared and released for public review on March 8, 2007. A NEPA EA was not prepared because this project qualifies for a Categorical Exclusion (CATEX) according to 23 CFR §771.117. A copy of the HRS 343 DEA was sent to your office; however, at the time it was prepared the project did not envision the need for changes in street lighting. Consequently, the DEA stated, "there are no plans for additional street lighting on the cane haul bridge, the approaches or in this section of the bike/pedestrian path."

Since the DEA was published, HDOT has determined that because the approaches will be widened, additional street lights may be needed and/or the light fixtures may need to be raised higher to illuminate a larger area on the ground. The precise extent of lighting changes will be determined by an electrical engineering consultant during the design phase of the project. HDOT has already determined that reflectors will be used on the cane haul bridge, so no light standards will be installed on the bridge itself.

Whether street lights are added and/or altered, all light fixtures will be shielded to minimize the disorientation of listed seabirds in flight. With mitigation, any change to street lighting in the project area is unlikely to have an adverse impact.

Request for Comments

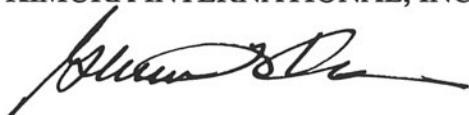
The project's FEA is currently being prepared and the CATEX is being revised. These documents will mention potential changes in street lighting, incorporate comments from your August 2005 letter on the path project, and include commitments to mitigate adverse effects by shielding the lights and using the shortest poles and lowest wattage bulbs possible.

U.S. Fish and Wildlife Service
July 10, 2007
Page 3

Given recent changes in the project description, we are extending an opportunity for additional comments from your agency. We would appreciate hearing from you by August 10, 2007.

If you have any questions, please contact me or Nancy Nishikawa at 944-8848.

Sincerely,
KIMURA INTERNATIONAL, INC.

A handwritten signature in black ink, appearing to read 'Glenn T. Kimura', with a long horizontal flourish extending to the right.

Glenn T. Kimura
President

Cc: Pat Phung, FHWA
Darell Young, HDOT, HWY-P

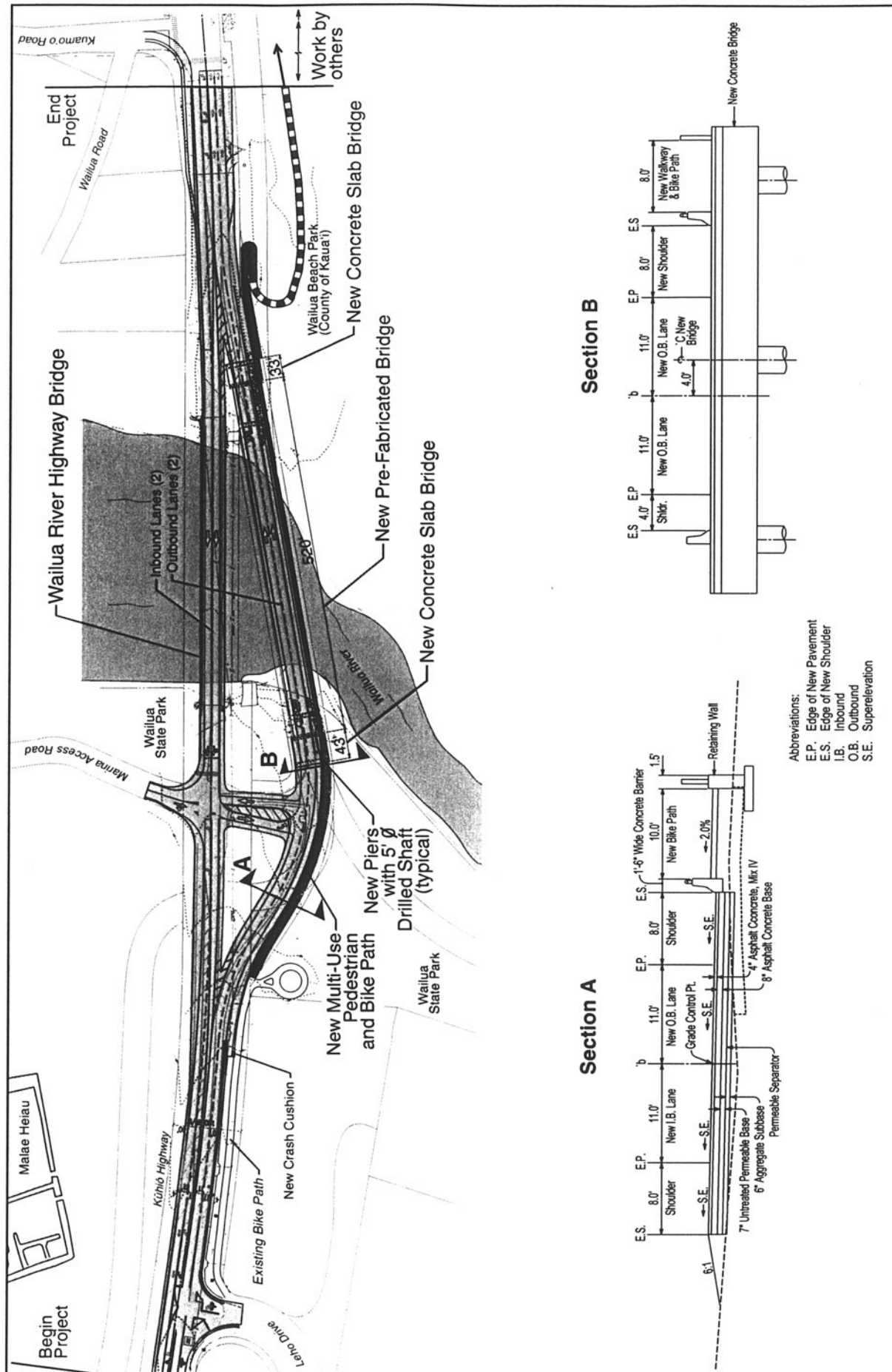


Figure 4
Site Plan
 Wailua River Bridge Improvements

Appendix F

Pre-assessment Comments

February 6, 2006

(name, address)

Dear (salutation):

**Wailua Bridge Short-Term Improvements
Wailua River, Kaua‘i, Hawai‘i
Pre-Assessment Consultation**

Kimura International, Inc. is preparing a draft environmental assessment (DEA) for the State of Hawai‘i, Department of Transportation—Highways Division (HDOT) to examine the impacts of proposed lane additions across Wailua River. The additions will consist of one vehicular lane and a shared use lane for pedestrians and bicyclists. The addition will result in four vehicular travel lanes, with two northbound and two southbound. At present there are two northbound lanes and one southbound lane.

We are requesting comments and agency input regarding environmental concerns in all resource areas, and information that might assist in evaluating the alternatives.

Project Purpose

The purpose of this project is to implement relatively quick and low-cost measures to reduce severe traffic congestion in the Wailua corridor. The improvements are intended to be temporary. There is a separate, ongoing project, known as the Kapa‘a Relief Route Project, that is evaluating long-term solutions to regional transportation issues.

Project Description

The DEA will evaluate three alternatives that emerged from scoping meetings with public agencies, landowners, and business and community groups. A preferred alternative will be determined based on findings of the DEA, public and agency comments, and detailed engineering analysis. As shown in the attached map, the proposed improvements will occur within the existing HDOT right-of-way across Wailua River.

Three bridge designs are under consideration—see conceptual diagrams (attached). In all scenarios, the existing Wailua Bridge will be converted to two lanes, southbound.

Alternative 1: Replace deck of the cane haul bridge. The existing 14-foot deck is used for one northbound travel lane. It will be replaced with a new, pre-fabricated deck approximately 42 feet wide for two northbound vehicular lanes and a bike/pedestrian lane. Existing piers may need to be retrofitted to bear the additional load.

Alternative 2: Construct a new bridge between the two existing bridges. It will be a pre-fabricated steel bridge with pre-cast piles or drilled shaft piers. The cane haul bridge will be used for the bike/pedestrian path.

Alternative 3: Construct a new bridge between the two existing bridges. Like Alternative 2, the new bridge will be a pre-fabricated steel bridge, but using a single-span design and, therefore, eliminating the need for piers in the water. The cane haul bridge will be used for the bike/pedestrian path.

Detailed design and engineering could begin as early as Summer 2006, with construction taking place in 2007.

Public Information Meeting

You are cordially invited to a public information meeting on the proposed short-term transportation improvements in the Wailua corridor. The meeting will take place on Thursday, February 16, 2006; 7:00 p.m. at the Kapa'a Middle School cafetorium.

Pre-Assessment Consultation

The DEA for this project is being prepared in accordance with State (Chapter 343, HRS) rules and guidelines. A copy of the DEA will be sent to your agency for review in the next few months. You will also have an opportunity to comment at that time.

Please send any preliminary comments to Kimura International, Inc. by Wednesday, March 1, 2006. If you have questions, please feel free to call me or Nancy Nishikawa at (808) 944-8848. Thank you for your interest in this project.

Sincerely,
KIMURA INTERNATIONAL, INC.



Glenn T. Kimura
President

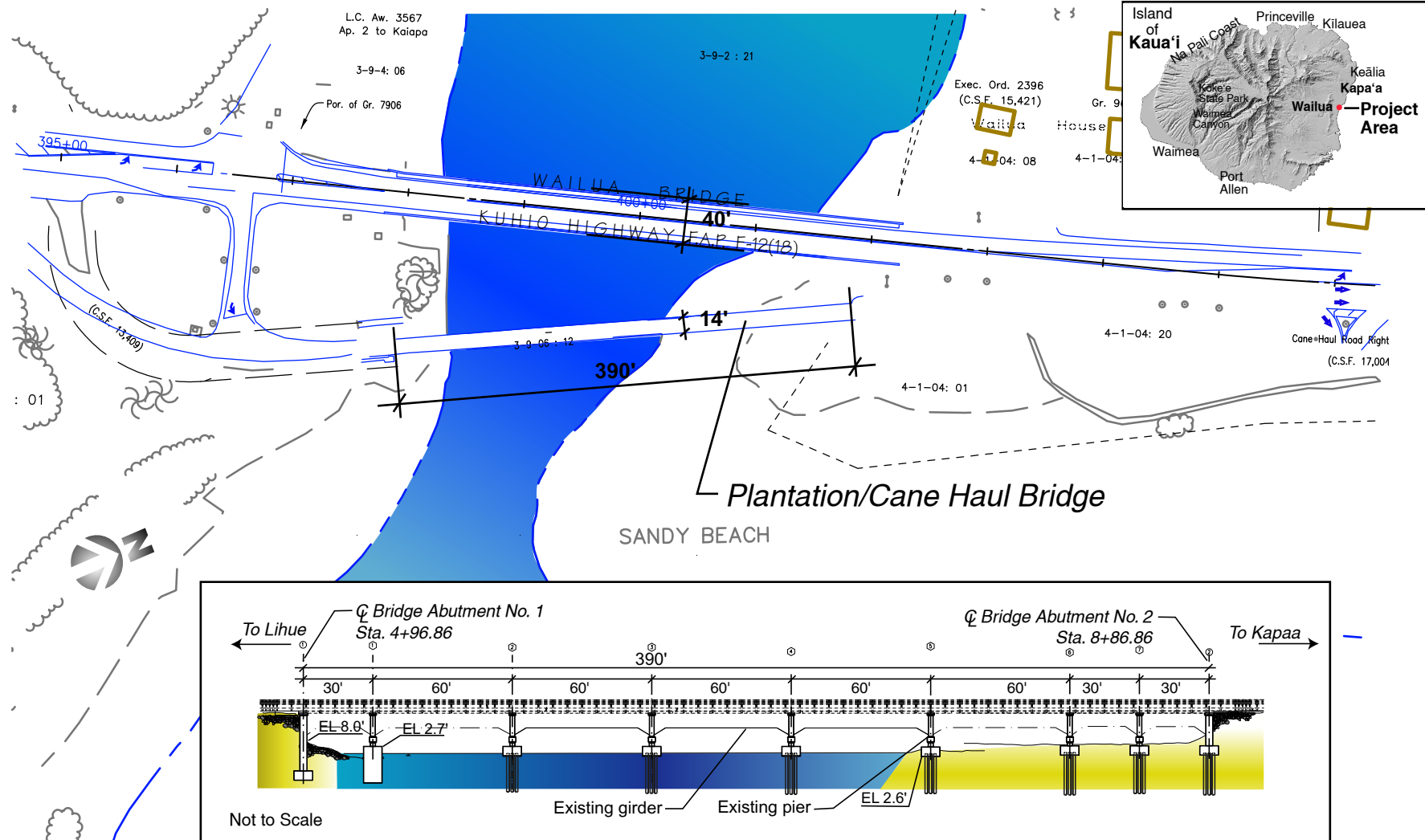
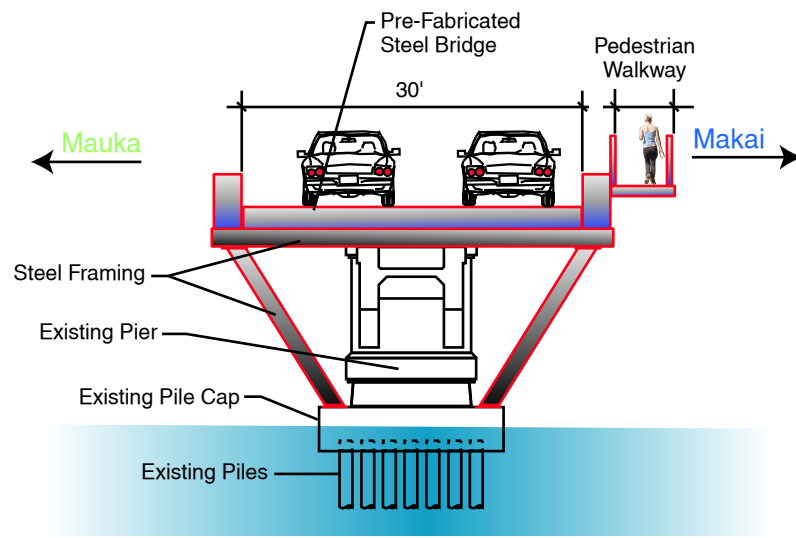
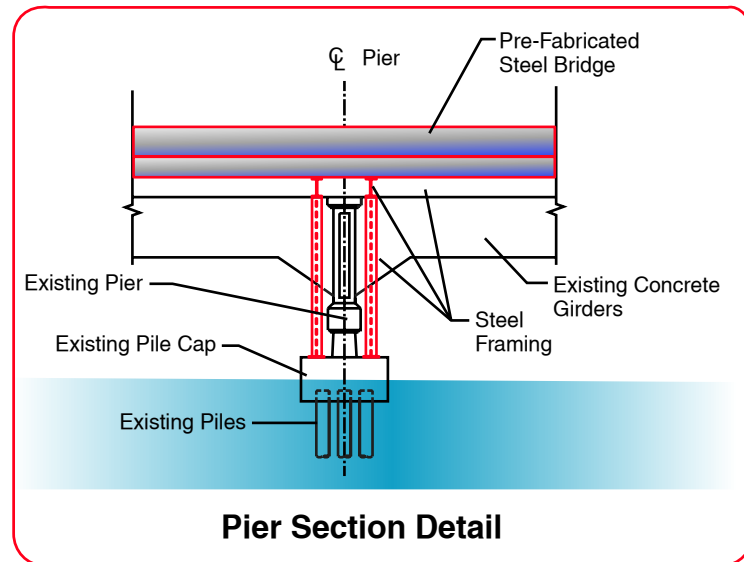


Figure 1
Existing Conditions
Wailua River and Plantation/Cane Haul Bridge
Wailua River Bridge Improvements

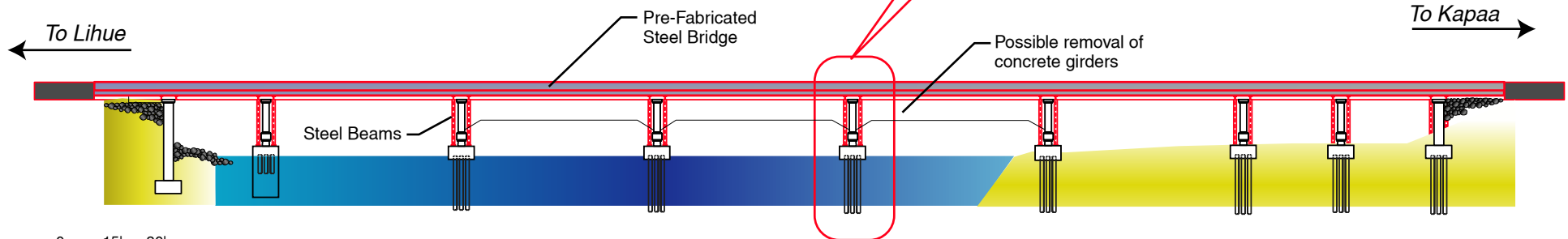


Bridge Cross Section

0 5' 10'
Scale: 1" = 10'



Pier Section Detail



Bridge Longitudinal Elevation

0 15' 30'
Scale: 1" = 30'

Figure 2
ALTERNATIVE 1
Acrow Panel Bridge over Existing Cane Haul Bridge Piers
Wailua River Bridge Improvements

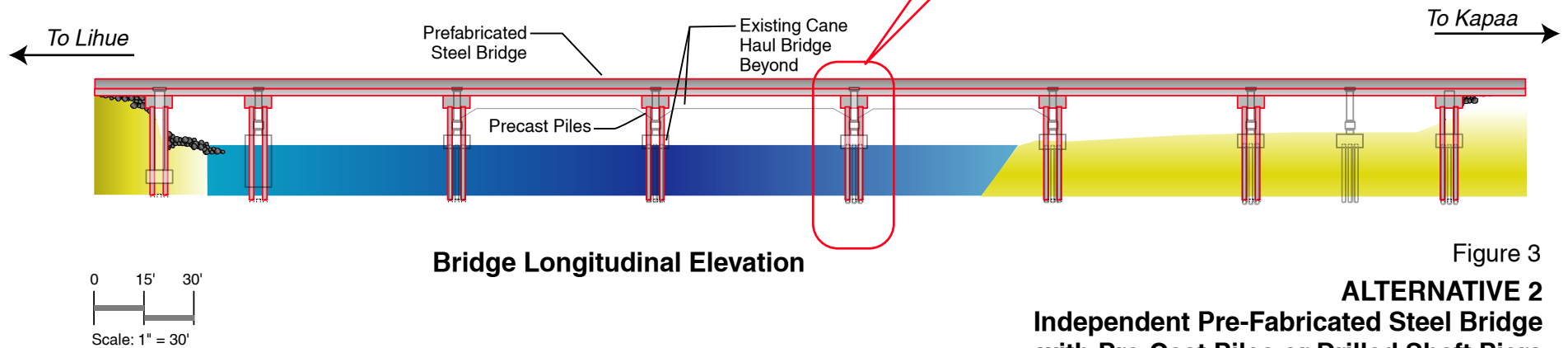
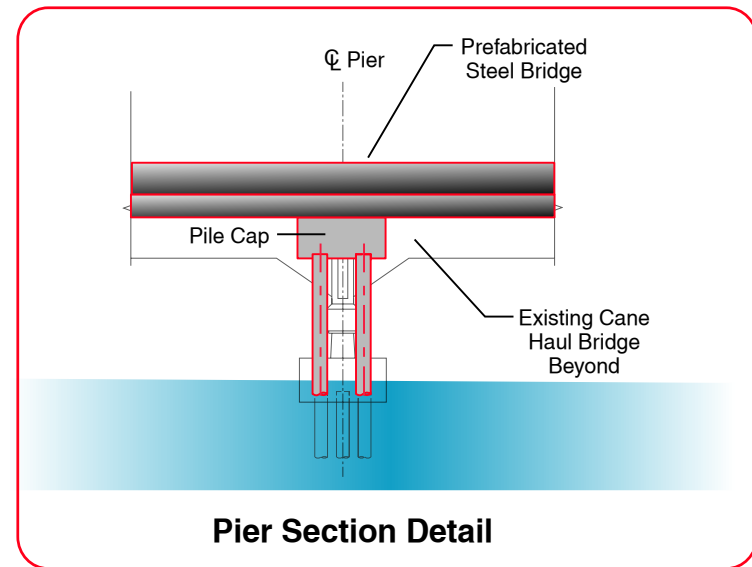
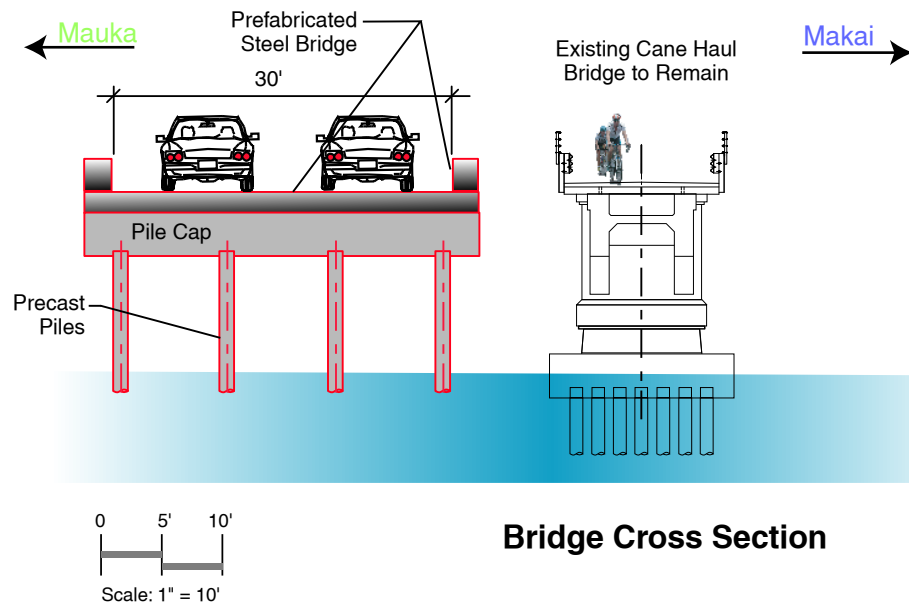
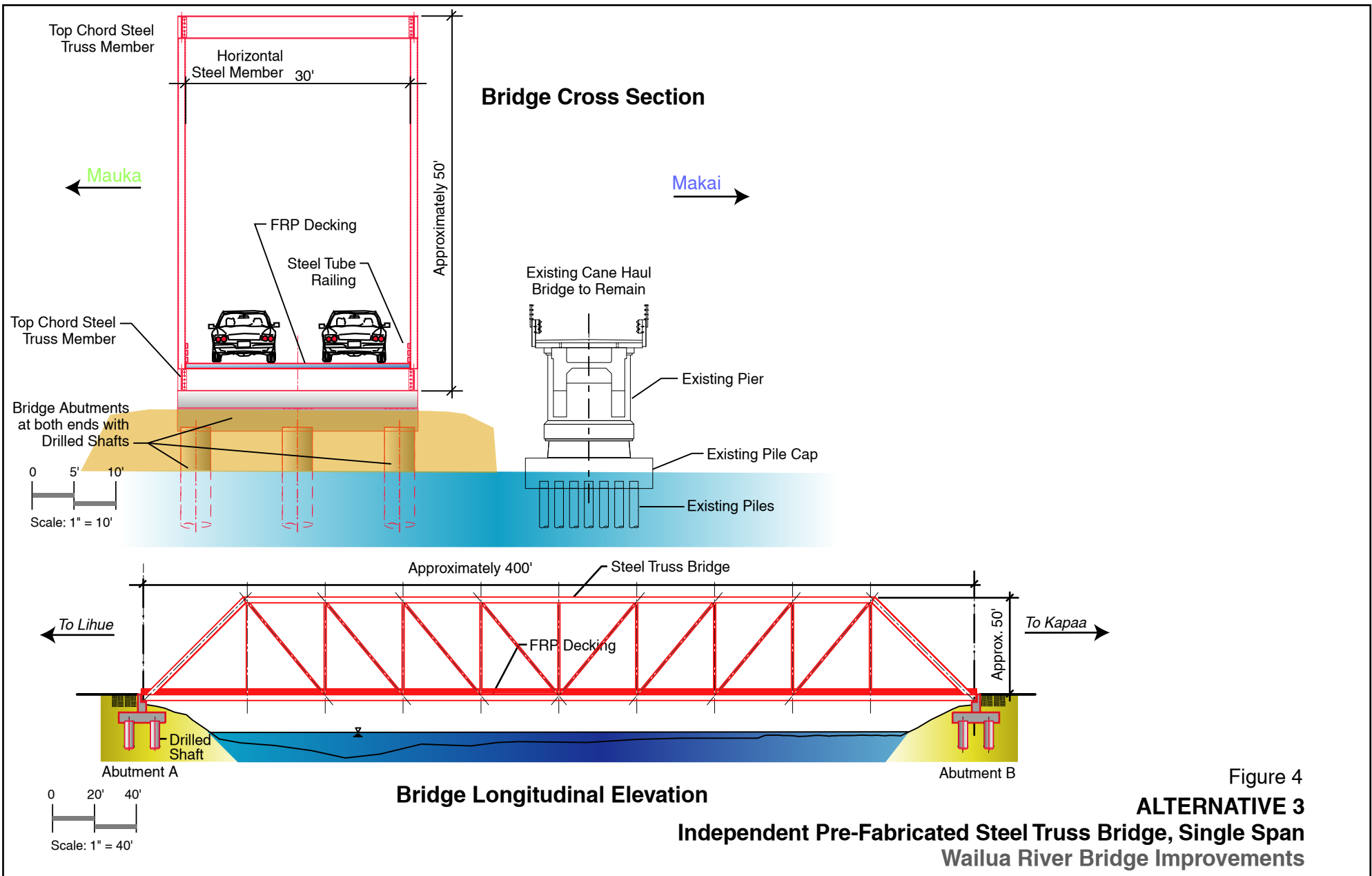


Figure 3
ALTERNATIVE 2
 Independent Pre-Fabricated Steel Bridge
 with Pre-Cast Piles or Drilled Shaft Piers
 Wailua River Bridge Improvements





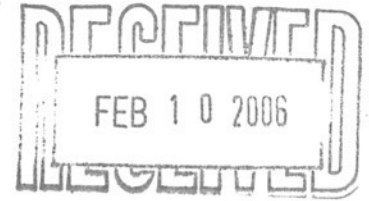
STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
P.O. BOX 621
HONOLULU, HAWAII 96809

PETER T. YOUNG
CHAIRPERSON

MEREDITH J. CHING
JAMES A. FRAZIER
NEAL S. FUJIWARA
CHIYOME L. FUKINO, M.D.
LAWRENCE H. MIIKE, M.D., J.D.
STEPHANIE A. WHALEN

DEAN A. NAKANO
ACTING DEPUTY DIRECTOR

February 9, 2006



Mr. Glenn T. Kimura, President
Kimura International, Inc.
1600 Kapiolani Boulevard, Suite 1610
Honolulu, Hawaii 96814

Dear Mr. Kimura:

Thank you for your February 6, 2006 letter concerning pre-assessment consultation for the Wailua Bridge Short-Term Improvements project at Wailua River, Kauai.

In general, any project that affects the bed or banks of a stream would require a stream channel alteration permit (SCAP) from the Commission on Water Resource Management. Specifically, regarding the alternative bridge designs: 1) Alternative 1 does not appear to affect any portion of the bed or banks of Wailua River so would not require a SCAP; 2) Alternative 2 would require a SCAP; and 3) Alternative 3 does not appear to affect the bed of Wailua River, but could possibly affect its banks, so we would have to review the final design to determine whether a SCAP would be required.

Please be advised that the project may require other agency approvals regarding wetlands, water quality, grading, stockpiling, and floodways. This letter should not be used for other regulatory jurisdictions or used to imply compliance with other federal, state, or county rules.

If you have any questions, please contact Ed Sakoda at 587-0234.

Sincerely,

Edwin T. Sakoda
for: DEAN A. NAKANO
Acting Deputy Director

BRYAN J. BAPTISTE
MAYOR

GARY K. HEU
ADMINISTRATIVE ASSISTANT



IAN K. COSTA
DIRECTOR OF PLANNING

MYLES S. HIRONAKA
DEPUTY DIRECTOR OF PLANNING

**COUNTY OF KAUAI
PLANNING DEPARTMENT**

4444 RICE STREET
KAPULE BUILDING, SUITE A473
LIHU'E, KAUAI, HAWAII 96766-1326

TEL (808) 241-6677 FAX (808) 241-6699

February 13, 2006

Glenn T. Kimura
Kimura International, Inc.
1600 Kapiolani Blvd, Suite 1610
Honolulu, Hawaii 96814

Subject: Wailua Bridge Short-Term Improvements
Wailua River, Kauai
Pre-Assessment Consultation

Dear Mr. Kimura:

Our only comment at this time would be regarding Alternative 2, a new bridge between the two existing bridges. Past flood conditions have shown that the piles on both existing bridges "catch" much vegetative debris flowing to the ocean – complete trees, clumps of hau bush with their root balls, whole mats of buffalo grass, etc. Adding another "screen" of piles for a third bridge would appear to catch that much more vegetation, which could then put additional stress on the main bridge if enough vegetation gets stuck. Can the wooden piles of this bridge stand additional stress of vegetation slowing down flood flows?

Also, in order to clear vegetative debris caught in its pilings, can the heavy equipment maneuver from the decks of the existing main and canehaul bridges and reach underneath the new bridge? Conversely, can heavy equipment be placed on this third bridge to clear debris beneath the main and canehaul bridges? Please contact DOT Highways and County Public Works regarding their past efforts regarding the above, and the types and weights of the equipment used in the clearing activities.

To minimize the above impacts, it appears Alternative 3 could be the best consideration. However, will the location of Bridge 3 impede or restrict, in any way, the ability for heavy equipment to remove vegetative debris from the piers of the existing bridges?

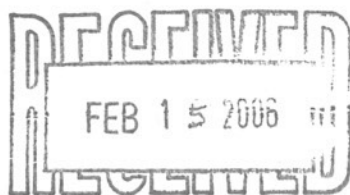
AN EQUAL OPPORTUNITY EMPLOYER

Thank you for the opportunity to provide comment at this time. Should there be any questions regarding the above, please contact Michael Laureta at 241-6677.

A handwritten signature in black ink, appearing to read 'Ian Costa', with a stylized flourish at the end.

IAN COSTA
Planning Director

LINDA LINGLE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR

DEAN A. NAKANO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

REF:OCCL: MC

Correspondence: KA-06-176

FEB 13 2006

Glenn Kimura, President
Kimura International, Inc.
1600 Kapi`olani Blvd., Suite 1610
Honolulu HI 96814

Dear Mr. Kimura:

SUBJECT: Wailua Bridge Improvements
TMK (4) 3-9-002
Wailua, Līhu`e, Kaua`i

The Office of Conservation and Coastal Lands [OCCL] has received your request for comments on the upcoming Environmental Assessment [EA] for short-term improvements to the Wailua Bridge. The State Department of Transportation – Highways Division [HDOT] will be studying the impacts of proposed lane additions across Wailua River. There are currently two bridges - the Wailua Bridge along Kūhiō Highway, and a nearby cane haul bridge. HDOT proposes to add one additional vehicular lane, and one to be shared by bicyclists and pedestrians.

HDOT has identified three alternatives, as follows:

- **Alternative 1:** Replace the deck of the cane haul bridge, using the existing cane haul bridge piers. The piers may need to be retrofitted to bear the additional load.
- **Alternative 2:** Construct a new pre-fabricated steel bridge between the two bridges, and use the cane haul bridge for bicyclists and pedestrians. The new bridge will use pre-cast piles or drilled shaft piers.
- **Alternative 3:** Construct a new pre-fabricated single span steel bridge between the two bridges, and use the cane haul bridge for bicyclists and pedestrians. This alternative does not require placing piles in the water.

OCCL notes that the Wailua River lies within the Resource Subdivision of the Conservation District. The proposal is an identified use in the Conservation District pursuant to Hawai'i Administrative Rules §13-5-22 *Identified land uses in the protective subzone, P-6 PUBLIC PURPOSE USES, (D-1) Land uses undertaken by the State of Hawai'i or the counties to fulfill a mandated government function, activity, or service for public benefit and in accordance with public policy and the purpose of the conservation district. Such land uses may include transportation systems, water systems, communication systems, and recreational facilities.* This use requires a permit from the Board of Land and Natural Resources [BLNR].

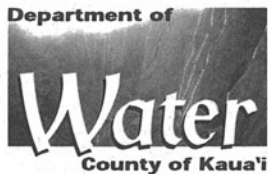
OCCL would like to note that those alternatives that require placing or retrofitting piers in the river would occur on Conservation Land, and would require a Conservation District Use Permit from BLNR. It appears that the support shafts for Alternative 3, and possibly Alternative 1, would not take place on Conservation Land. OCCL recommends that you contact the State Land Use Commission to confirm this; if the support structures are not in the Conservation District then a BLNR permit would not be needed.

Should you require additional information, please call Michael Cain of our Planning Branch at 587-0048. If no response is received by the suspense date, we will assume there are no comments.



Aloha,

Samuel J. Lemmo, Administrator
Office of Conservation and Coastal Lands



Water has no substitute.....Conserve it

February 17, 2006

RECEIVED FEB 23 2006

Mr. Glenn Kimura
Kimura International
1600 Kapi'olani Boulevard Suite 1610
Honolulu, HI 96814

Dear Mr. Kimura:

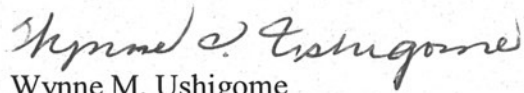
Subject: Pre-Assessment Consultation; Wailua Bridge Short-Term Improvements, Wailua River, Kaua'i, Hawai'i

The Department of Water (DOW), County of Kaua'i, presently has no comments regarding the pre-assessment consultation for the draft environmental assessment for the subject project.

We currently have an existing 12" waterline mounted along the mauka side of the Wailua Bridge. It appears that the proposed improvements will not result in the relocation or modification of this waterline. We do not have any water facilities along the existing Plantation/Cane Haul Bridge.

If there are any questions, please call Mr. Bruce Inouye at (808) 245-5411.

Sincerely,


Wynne M. Ushigome
Acting Manager and Chief Engineer

BI:bdm
Wailua Bridge 1

Network Engineering & Planning

Hawaiian Telcom
4040 Halau St.
Lihue, HI 96766

Phone 808 241-5062

February 18, 2006

Mr. Glenn T. Kimura
President
Kimura International
1600 Kapiolani Blvd., Suite 1610
Honolulu, HI 96814

Subject: **Wailua Bridge Short-Term Improvements
Wailua River, Kauai, Hawaii
Pre-Assessment Consultation**

Gentlemen:

Thank you for your opportunity to comment on the subject project. We understand that the project will implement a temporary, expeditious, and cost-effective solution to the traffic congestion in the Wailua corridor by adding a fourth lane to the existing three that currently exist along Kuhio Highway. Further, we understand that three Alternative designs are being considered for Wailua Bridge; summarized as follows.

Alternative 1: Replace deck of the cane haul bridge.

Alternative 2: Construct a new prefab bridge w/ piles or piers between the two existing bridges.

Alternative 3: Construct a new prefab single span bridge between the two existing bridges.

Hawaiian Telcom has overhead copper cables crossing on the makai side of the existing two-lane Wailua Bridge. The weight and the long 462' span cause the cables to sag significantly across the river. Also, they have increased exposure to the corrosive elements of the tradewinds, conflict visually with its surroundings, and are difficult to maintain because of its relative proximity to the bridge.

The Wailua Bridge short-term improvement project may be an opportunity for Hawaiian Telcom to convert these cables from overhead to underground. If possible, in any one of the alternatives, Hawaiian Telcom would benefit with 2-4" conduits installed across the proposed bridge. The conduits could be suspended under the bridge, strapped to the side of it, or embedded in the bridge deck.

Mr. Glenn T. Kimura
Wailua Bridge Short-Term Improvements
February 18, 2006
Page 2

We understand that a load test is required for Alternative 1. If practicable, we ask that the load test be performed with the potential added weight of Hawaiian Telcom facilities in mind. However, we recognize that the need for an expeditious solution to the traffic problem is more important than our need for an overhead to underground facility conversion. Should the load test succeed without the additional Hawaiian Telcom load, but fail with it; Hawaiian Telcom will not require the proposed conduits in Alternative 1.

Total Weight of Hawaiian Telcom Facilities on Bridge (Present and Future):

Weight of Hangers on Bridge = $400' / 10' * 11.5 \text{ lbs./each} = 460 \text{ lbs.}$

Weight of Two 4" Fiberglass conduits on Bridge = $400' * 2 * (0.80 \text{ lbs./ft}) = 640 \text{ lbs.}$

Weight of Existing Cable 'A' (AKF 100-22) = $400 * 0.73 \text{ lbs./ft} = 292 \text{ lbs.}$

Weight of Existing Cable 'B' (AKF 300-24) = $400 * 1.26 \text{ lbs./ft} = 504 \text{ lbs.}$

Weight of Future Cable 'C' (UKF 900-24) = $400 * 4.74 \text{ lbs./ft} = 1896 \text{ lbs.}$

Total Weight (assumed 400' length) = 3792 lbs.

Should you have any questions, call me at 808-241-5052 or email jimmy.sone@verizon.com

Sincerely,

A handwritten signature in black ink, appearing to read "Jimmy Sone". The signature is fluid and cursive, with the first name "Jimmy" and last name "Sone" clearly distinguishable.

James 'Jimmy' Sone P.E.
Engineer

c: File



Sandwich Isles
Communications, Inc.

A Waimana Company

RECEIVED FEB 22 2006

February 21, 2006

Ms. Nancy Nishikawa
Planner
Kimura International, Inc.
1600 Kapiolani Blvd., Suite 1610
Honolulu, HI 96814

Dear Ms. Nishikawa:

Thank you for your letter inviting us to participate in the pre-assessment consultation meeting for the Wailua Bridge Short-Term Improvement project. As you know Sandwich Isles Communications, Inc. recently installed a fiber optic cable duct system that is attached to the underside of Wailua Bridge. We are very concerned about any adverse impact to the safety and optimum operation of our fiber optic cable system.

As more specific plans and information becomes available, we ask that you continue to coordinate with us to determine any impacts that may affect our infrastructure. Please keep us on the mailing list and we look forward to receiving a copy of the draft environmental statement for the project.

We appreciate the opportunity to cooperate with you on this project and look forward to its success. If there are any questions, please contact me at 808-540-5736.

Sincerely,

KAUHI KELIAA

LINDA LINGLE
GOVERNOR OF HAWAII



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENTAL QUALITY CONTROL

235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4186
E-mail: oeqc@health.state.hi.us

RECEIVED FEB 22 2006

February 21, 2006

Mr. Glenn Kimura
Kimura International
1600 Kapiolani Blvd., Suite 1610
Honolulu, HI 96814

Subject: Wailua Bridge Short-Term Improvements Wailua River, Kauai, Hawaii

Dear Mr. Kimura,

We have received your letter dated February 6, 2006 to pre-consult on the Wailua Bridge short-term improvements.

The improvements are intended to be temporary. If the Department of Transportation Highway Division decides that the Kapaa Relief Route Project will not materialize, will this improvement become permanent?

We have no other comments, but reserve the right for further comments when we receive the documents. If you have any questions, please call our office at 586-4185.

Sincerely,

Genevieve Salmonson
Genevieve Salmonson
Director

LINDA LINGLE
GOVERNOR
STATE OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HAWAIIAN HOME LANDS

P.O. BOX 1879

HONOLULU, HAWAII 96805

MICAH A. KANE
CHAIRMAN
HAWAIIAN HOMES COMMISSION

BEN HENDERSON
DEPUTY TO THE CHAIRMAN

KAULANA H. PARK
EXECUTIVE ASSISTANT

February 23, 2006

RECEIVED MAR 01 2006

Mr. Glenn T. Kimura
President
Kimura International, Inc.
1600 Kapiolani Boulevard
Suite 1610
Honolulu, Hawaii 96814

Dear Mr. Kimura:

Subject: Wailua Bridge Short-Term Improvements, Pre-Assessment
Consultation, Wailua River, Island of Kauai

Thank you for your letter dated February 23, 2006, asking for input from the Department of Hawaiian Home Lands (DHHL) regarding the Wailua bridge short-term improvements.

In the next five (5) to ten (10) years, DHHL will hire a developer to construct a commercial shopping complex and timeshares on the makai side of Kuhio Highway, near the Aloha Resort hotel. Across the street from the commercial property, mauka of Kuhio Highway, we will construct approximately five hundred (500) residential homes. This will increase car traffic flow substantially in this area, so it is imperative that roads and bridges are improved.

Of the three (3) alternatives, we believe the third choice is the best alternative. This will allow traffic to continue to flow smoothly during the construction phase, and is the most environmentally friendly. It also allows room to expand the three (3) bridges should this need to be done to compensate for future growth.

If you have any questions regarding our choice of alternatives, please call Land Agent, Mr. Kaipo Duncan, at 586-3855.

Aloha and mahalo,

A handwritten signature in black ink, appearing to read "Micah", followed by a long horizontal line.

Micah A. Kane, Chairman
Hawaiian Homes Commission



DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM

LINDA LINGLE
GOVERNOR
THEODORE E. LIU
DIRECTOR
MARK K. ANDERSON
DEPUTY DIRECTOR
LAURA H. THIELEN
DIRECTOR
OFFICE OF PLANNING

OFFICE OF PLANNING

235 South Beretania Street, 6th Floor, Honolulu, Hawaii 96813
Mailing Address: P.O. Box 2359, Honolulu, Hawaii 96804

Telephone: (808) 587-2846
Fax: (808) 587-2824

Ref. No. P-11266

February 14, 2006

RECEIVED FEB 16 2006

Mr. Glenn T. Kimura, President
Kimura International
1600 Kapiolani Boulevard, Suite 1610
Honolulu, Hawaii 96814

Dear Mr. Kimura:

Subject: Pre-Assessment Consultation for Wailua Bridge Short-Term Improvements,
Wailua River, Kauai

This responds to your request for comments on the proposed improvements to Wailua Bridge, Kauai. The Hawaii Coastal Zone Management (CZM) Program reviewed the pre-assessment information that was provided. CZM federal consistency review will be needed if: (1) any of the three alternatives requires a Department of the Army Permit from the U.S. Army Corps of Engineers or a bridge construction permit from the U.S. Coast Guard; or (2) if federal funding is requested from a federal grant source that is subject to CZM review, such as Federal Highway Administration Highway Planning and Construction grants.

The following CZM resource areas are potentially applicable to the project:

- Recreational resources. Wailua River is a resource for numerous recreational activities including boating, kayaking, swimming, and sight seeing. The beach area adjacent to the Wailua River mouth is used for swimming, fishing, and surfing offshore. The project's potential impacts to recreational resources are a CZM concern and should be addressed in the environmental assessment (EA).
- Historic resources. Wailua Bridge and the Cane Haul Bridge may be historic resources. Also, archaeological resources could be impacted by land-side construction activities such as installing bridge abutments.
- Scenic and open space resources. The bridge improvements may have potential impacts to coastal scenic and open space resources. For example, Alternative 3 – Independent Pre-Fabricated Steel Truss Bridge, may adversely affect scenic resources and public views to and along the shoreline.

Mr. Glenn T. Kimura
Page 2
February 14, 2006

- Coastal Ecosystems. Potential impacts to water quality, aquatic resources, and endangered species such as turtles and monk seals, are CZM concerns that need to be discussed in the EA.
- County of Kauai Special Management Area (SMA) and Shoreline Setback Area requirements may be applicable to the project. We recommend that the County of Kauai, Department of Planning be consulted regarding SMA and Shoreline Setback requirements.

Thank you for consulting with the Office of Planning early in the project development process. If you any questions about our comments or would like more information, please call John Nakagawa of our CZM Program at 587-2878.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laura H. Thielen', written in a cursive style.

Laura H. Thielen
Director

c: Department of Planning, County of Kauai
U.S. Army Corps of Engineers, Regulatory Branch



DEPARTMENT OF THE ARMY
U. S. ARMY ENGINEER DISTRICT, HONOLULU
FT. SHAFTER, HAWAII 96858-5440

RECEIVED FEB 17 2006

REPLY TO
ATTENTION OF

February 16, 2006

Regulatory Branch

File No. **POH 2006-70**

Mr. Glenn T. Kimura, President
Kimura International
1600 Kapiolani Blvd., Suite 1610
Honolulu, HI 96814

Dear Mr. Kimura,

This letter is written in response to your request for agency comments on the Wailua Bridge Short-Term Improvement project located in Kauai, Hawaii. Due to traffic congestion between the Wailua Marina driveway and the Kapaa temporary bypass road, solutions to alleviate the congestion were being sought by the County of Kauai. Ms. Lolly Silva of my staff attended the Wailua River Corridor Transportation Improvement workshop held in July 2005 and subsequent monthly meetings with County, State and Federal agencies to address environmental concerns and/or other issues related to the Corps of Engineers Department of the Army (DA) permit requirements under Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act of 1899.

Based on the meetings and on-going discussions, the project's scope of work included the rehabilitation and/or replacement of the Wailua River bridge. The following comments are provided for the three (3) alternatives being considered:

- 1) Alternative 1: Replace existing bridge deck and if required retrofit the existing piers with steel framing to bear the additional load.
Comment: Work does not involve discharges of dredged or fill material into a water of the U.S. (Wailua River), therefore no authorization under Section 404 of the CWA required. However, a DA permit is required for any structures and/or work affecting navigable waters (33 CFR 322.3) and the work can be authorized under NW #3, Section 10 only.
- 2) Alternative 2: Construct a new bridge between two existing bridges. New pre-fabricated steel bridge will be located between the Cane Haul Bridge and the Kuhio Highway Wailua River Bridge. Pre-cast piles or drilled shaft piers placed approximately 60' apart will be used to support the steel deck.
Comment: The new bridge is being constructed between two existing bridges and pre-cast piles will be used to minimize adverse effects to the aquatic environment. Due to the placement of the piles within the river (approximately 60 feet apart), there should be no change to the hydraulic flow characteristics of the river or an increase in flooding. Degradation of

water quality should be minimal with use of best management practices. The pre-cast piles are not considered a discharge of dredged or fill material as defined by 33 CFR 323.3(c), therefore Section 404 authorization is not required. The bridge and all associated work can be authorized under NW #14, Linear Transportation Projects, Section 10 only.

- 3) Alternative 3: Construct a new, single-span steel bridge between two existing bridges. Placement of the abutments to support the bridge will be located outside of the high tide line.

Comment: Design of the new single-span bridge eliminates the need for piles or footings. The work will not involve the discharge of dredged or fill material, however authorization is required for work in navigable waters. The bridge and all associated work can be authorized under NW #14, Linear Transportation Projects, Section 10 only.

Provided that the above work does not involve any temporary construction measures, (i.e., discharges of fill material for access into the river, installation of a cofferdam or sandbags to divert water, temporary fill material associated with dewatering a site, etc.) a DA permit under Section 404 of the CWA is not required. In addition, best management practices will be required to minimize degradation to the aquatic environment.

It should be concluded that any alternative selected will require authorization under Section 10 of the Rivers and Harbors Act of 1899. In addition, a Coastal Zone Management federal consistency determination from the Department of Business, Economic Development and Tourism, State Office of Planning will be required. Please contact Mr. John Nakagawa at 587-2878 for further information.

Furthermore, the draft environmental assessment should include information on the known presence of any endangered species or habitat that may be impacted within the project area; known historical or burial sites; identify all waters of the U.S., to include tributaries and wetlands; and/or other information pertaining to the environment. Should you have any questions, please call Ms. Lolly Silva at 438-7023 or by electronic mail at laurene.l.silva@usace.army.mil. Please refer to the above file number in any future correspondence with this office regarding this project.

Sincerely,



George P. Young, P.E.
Chief, Regulatory Branch

Copy furnished:

Mr. John Nakagawa, Department of Business, Economic Development and Tourism



STATE OF HAWAII
OFFICE OF HAWAIIAN AFFAIRS
711 KAPI'OLANI BOULEVARD, SUITE 500
HONOLULU, HAWAII 96813

RECEIVED MAR 03 2006

HRD05/2249

February 27, 2006

Glen T. Kimura
Kimura International, Inc.
1600 Kapi'olani Blvd., Suite 1610
Honolulu, HI 96814

RE: Pre-Environmental Assessment Consultation for the Wailua Bridge Short-Term Improvements, Wailua, Kaua'i.

Dear Mr. Kimura,


The Office of Hawaiian Affairs (OHA) is in receipt of your February 6, 2006 request for comment on the above listed proposed project. OHA offers the following comments:

Our staff has no comment specific to the above-listed proposed project at this time. Thank you for your correspondence.

OHA asks that, In accordance with Section 6E-46.6, Hawaii Revised Statutes and Chapter 13-300, Hawaii Administrative Rules, if any significant cultural deposits or human skeletal remains are encountered, work shall stop in the immediate vicinity and the State Historic Preservation Division (SHPD/DLNR) shall be contacted.

Thank you for the opportunity to comment. If you have further questions or concerns, please contact Jesse Yorck, Native Rights Policy Advocate, at (808) 594-0239 or jessey@oha.org.

'O wau iho nō,


Clyde W. Nāmu'o
Administrator

CC: La France Kapaka-Arboleda
OHA Community Affairs Coordinator (Kaua'i)
3-3100 Kuhio Hwy., Suite C4
Lihue, HI 96766-1153

LINDA LINGLE
GOVERNOR OF HAWAII



**STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES**

STATE HISTORIC PRESERVATION DIVISION
601 KAMOKILA BLVD., ROOM 555
KAPOLEI, HAWAII 96707

PETER T. YOUNG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT

ROBERT K. MASUDA
DEPUTY DIRECTOR - LAND

DEAN NAKANO
ACTING DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVE COMMISSION
LAND
STATE PARKS

March 16, 2006

RECEIVED MAR 18 2006

Glenn T. Kimura, President
Kimura International
1600 Kapiolani Boulevard, Suite 1610
Honolulu, Hawai'i 96814

LOG NO: 2006.0656
DOC NO: 0602NM26
Archaeology

Dear Mr. Kimura:

**SUBJECT: Chapter 6E-8 Historic Preservation Review—
Pre-Assessment Consultation for Wailua Bridge Short-Term Improvements,
Department of Transportation, Highways Division
Wailua River, Lihue District, Island of Kaua'i**

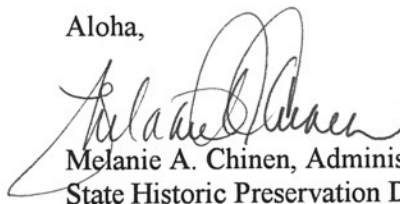
Thank you for submitting your letter on the aforementioned grant which we received on February 8, 2006. The project involves proposed additional lanes across Wailua River. The following three alternatives are proposed: (1) Replace the deck of the cane haul bridge for two northbound lanes and a bike/pedestrian lane, (2) Construct a new bridge between the two existing bridges, and use the cane haul – railroad bridge as a bike/pedestrian bridge, (3) Construct a new bridge between the two existing bridges using a single span design and eliminating the piers in the water.

There are no archaeological concerns for any of the alternative proposals for additional lanes across the Wailua River. The cane haul - railroad bridge was approved in an early project for the bike/pedestrian path, to include mounting or expanding the railroad bridge. The existing bridge has been repaved several times. This project will have "no effect" on significant historic sites.

Alternative 3 would eliminate piers in the water which may be safer for river uses as it would keep the river clear from debris that may come down the river in heavy rains or flooding. This alternative may be more cost effective over the long run as it would eliminate pier repairs.

If you have any questions please call Nancy McMahon, Kauai Section archaeologist at (808) 742-7033.

Aloha,


Melanie A. Chinen, Administrator
State Historic Preservation Division

NM:dlb

COUNTY OF KAUAI
PLANNING DEPARTMENT
4444 RICE STREET, SUITE A473
LIHUE, KAUAI, HAWAII 96766-1326

RECEIVED APR 12 2006

MEMORANDUM

DATE: April 10, 2006

TO: Glenn T. Kimura
Kimura International

FROM: Kauai Historic Preservation Review Commission *PA*

SUBJECT: Letter (2/6/06) from Glenn T. Kimura, Kimura International requesting input for a draft environmental assessment for proposed lane additions across Wailua River. Wailua Bridge Short-Term Improvements, Wailua River, Kauai Hawaii, Pre-Assessment Consultation.

This is to inform you that the Kauai Historic Preservation Review Commission (KHPRC) met on April 6, 2006 to review the above-mentioned project.

Based on the information provided, it is the KHPRC's understanding that this project proposes three alternatives to facilitate two northbound and two southbound lanes across the Wailua River. The improvements are intended to be temporary to implement quick and low cost measures to reduce severe traffic congestion in the Wailua corridor area.

Of the three bridge design alternatives provided, the Commission preliminarily concurred with Alternative 1, the replacement of the deck of the cane haul bridge. In utilizing the historic bridge, the KHPRC further recommended that no further erosion of what exists occur and that the structure be maintained to the highest standard possible.

Please contact Rick Tsuchiya at (808)241-6677 should you have any questions.

Mahalo.

cc: SHPD-Honolulu

U.S. Department of
Homeland Security

United States
Coast Guard



Commander
Fourteenth Coast Guard District

300 Ala Moana Blvd, 9-216
Honolulu, HI 96850-4982
Staff Symbol: (dpw)
Phone: (808) 541-2320
Fax: (808) 541-2309

16590
November 6, 2006

Mr. Pat Phung
DOT-FHA Hawaii Division
P.O. Box 50206
300 Ala Moana Blvd, Rm. 3-306
Honolulu, HI 96850

RECEIVED NOV 08 2006

Dear Mr. Phung,

The U.S. Coast Guard (USCG) received your invitation on September 10, 2004 to participate as a cooperating agency in the Federal Highway Administration's (FHWA) and Hawaii Department of Transportation's (HDOT) Kapa'a Relief Route Project on Kauai. Kimura International, Inc., recently requested our response to this invitation.

Both Kuhio Highway Bridge and Cane Haul Bridge do not presently have, and are not subject to, federal permits by the USCG. Furthermore, the Corps of Engineers has no plans at present for any future waterway improvements that would need to be addressed as part of a long-term solution. Therefore, this agency has no comment on the Wailua Bridge Short-Term Improvements Project.

With respect to the river above Kuhio Highway Bridge and this agency's participation in the Kapa'a Relief Route Project, it is necessary that we first conduct a navigability determination of the waterway. This study would determine the waterway's eligibility for federal regulation and the USCG's consequent participation in the project as a cooperating agency. We will work with your agency while conducting the study. If the waterway proves ineligible for federal regulation, the USCG would not be involved in the project.

If you have any questions or concerns, please do not hesitate to contact my representative in this matter, LT Doug Jannusch, at (808) 541-2319 or Douglas.A.Jannusch@uscg.mil

Sincerely,

A handwritten signature in black ink, appearing to read "B. A. Havlik".

B. A. HAVLIK
Commander, U. S. Coast Guard
Chief, Waterways Management Branch
By direction

Copy: Mr. Darell Young, HDOT
Mr. Glenn Kimura, Kimura International, Inc.